

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-SECOND DAY'S PROCEEDINGS

**Thirty-Second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 23, 2006

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 37		

ABSENT

Duplessis	Marionneaux
Total - 2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Michael Bush, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 23, 2006

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 38—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:423.17, relative to the city of Amite City; to authorize the chief of police of that city to take certain personnel actions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 72—
BY REPRESENTATIVE LABRUZZO
AN ACT

To enact Part VI of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.11 through 1950.13, relative to the Old Metairie Road Business and Cultural District; to designate the area along a portion of Metairie Road in Jefferson Parish as the Old Metairie Road Business and Cultural District; to require certain signage identifying and providing directions to the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 85—
BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 56:331(B)(introductory paragraph), relative to the Crab Task Force; to provide for appointments to the task force; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 107—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:83(B)(1) and 121(C), relative to the secretary of the Department of Natural Resources' service on certain state boards; to authorize the undersecretary to serve as proxy for the secretary on the State Mineral Board and the Oilfield Site Restoration Commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 207—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 51:1156(D), relative to the town of Vinton; to provide relative to a corporation known as the Industrial Development Board of the Town of Vinton, Inc.; to provide relative to the board of directors of the corporation; to provide relative to the membership of such board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 227—
BY REPRESENTATIVE WOOTON
AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 367—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:861(A)(2), relative to compulsory motor vehicle liability security; to provide an exemption for water-damaged vehicles; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 470—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(35), relative to Webster Parish; to increase the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission; and to provide for related matters.

May 23, 2006

Reported without amendments.

HOUSE BILL NO. 474—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:423.17, relative to the town of Livingston; to authorize the chief of police of that town to take certain personnel actions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 488—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 36:509(E)(1) and to repeal R.S. 36:509(B)(5), relative to the Hurricane Flood Protection Advisory Commission; to provide for the nature of its placement within the Department of Transportation and Development; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 521—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To repeal R.S. 36:209(H)(2) and Chapter 11-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2351 through 2361, relative to the Atchafalaya Basin; to repeal the Atchafalaya Basin Division and the Governor's Atchafalaya Basin Commission.

Reported without amendments.

HOUSE BILL NO. 586—
BY REPRESENTATIVES GREENE, BARROW, BAYLOR, CRANE, DANIEL, DOVE, GLOVER, HONEY, KATZ, KENNARD, LAMBERT, MARTINY, RITCHIE, ROMERO, JACK SMITH, STRAIN, WHITE, WINSTON, AND WOOTON AND SENATORS CHEEK, DARDENNE, AND FONTENOT
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to increase the time limitation relative to notifying the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of the death of a fireman or law enforcement officer; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 595—
BY REPRESENTATIVES WHITE, ERDEY, MCVEA, AND SMILEY AND SENATOR FONTENOT
AN ACT

To enact R.S. 39:562(M), relative to the limit of indebtedness of school districts; to authorize an increase in bonded indebtedness in certain parishes, with voter approval; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 634—
BY REPRESENTATIVES WHITE AND GLOVER
AN ACT

To amend and reenact R.S. 33:2501(C)(1), relative to fire and police civil service; to provide relative to the modification of disciplinary action by certain municipal fire and police civil service boards; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 689—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 50:173.1, relative to standards for land mapping systems; to provide for vertical control standards; to provide for references; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 744—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, and Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, and R.S. 36:209(O) and to enact R.S. 36:802.21, relative to New Orleans City Park; to provide for the powers, duties, functions, and responsibilities of the New Orleans City Park Improvement Association and its board of commissioners and the powers, duties, functions, and responsibilities of the Department of Culture, Recreation and Tourism and its officers and offices with respect to the park and the association and its board of commissioners; to provide that the association and its board shall be policymaking agencies; to provide for certain other powers of the board; to provide relative to employees, their appointing authority, civil service status, and certain benefits; to provide relative to contracts with a nonprofit or not-for-profit firm, corporation, or entity and the authority therefor; to provide relative to funds and funding and related procedures; to provide that the secretary of the Department of Culture, Recreation and Tourism shall be a member of the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 764—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 25:215(B)(16), relative to the Vermilion Parish Library; to transfer the administration of and accounting functions for funds of the library from the Vermilion Parish Police Jury to the Vermilion Parish Library Board of Control; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 780—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3092(11) and (12) and to enact R.S. 17:3092(13) and (14) and 3095(H), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide relative to education savings accounts including the investment of checks and electronic funds transfers and the deposit of any increase in the value of such accounts under certain circumstances; to provide for the use of certain monies; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 824—
BY REPRESENTATIVES FRITH, PIERRE, JACK SMITH, AND ST. GERMAIN AND SENATOR MALONE
AN ACT

To amend and reenact R.S. 56:104(B)(4), 104.1(A), and 116.3(A)(1)(a) and (B) and to repeal R.S. 56:116(B)(3), relative to hunting with bow and arrow; to authorize the use of magnified scopes with crossbows; to authorize the use of a mechanically held bow in certain circumstances; to authorize the use of certain arrow points; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 825—

BY REPRESENTATIVES ST. GERMAIN, DANIEL, LAMBERT, PIERRE,
AND JACK SMITH AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 56:6.1 and to repeal R.S. 56:317, relative to emergency season closures for hunting and fishing; to authorize the emergency closure of hunting or fishing seasons by the secretary of the Department of Wildlife and Fisheries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 835—

BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS
MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.36, relative to boating safety; to revise the penalties for violations of boating safety education requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 836—

BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN
AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.10(A) and (B), relative to the operation of vessels; to revise collision and accident report provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 840—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, PIERRE, AND JACK
SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:103(E), relative to hunting licenses; to provide penalties for use of a hunting license by a person other than the licensee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 918—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:463.131, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the Louisiana largemouth bass special prestige license plate; to provide relative to the fee for such plate; to provide for the use of such fee; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 953—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To authorize and provide for the transfer of certain state property in West Feliciana from the division of administration to Turnbull Incorporated; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1069—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:572(1)(a), relative to the Natural Resources and Energy Act of 1973; to provide that when intrastate natural gas is rationed or allocated because of an emergency shortage, priority is given to the petroleum, petrochemical, and chemical industry to the extent necessary to ensure the protection of the public health, safety, and the environment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1071—

BY REPRESENTATIVES HUNTER, ALARIO, BARROW, DEWITT,
DORSEY, GLOVER, HAMMETT, JEFFERSON, RICHMOND, RITCHIE,
AND SALTER AND SENATORS BAJOE, HINES, MOUNT, AND NEVERS
AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.44, relative to housing; to enact and provide for the Louisiana Housing Preservation Act; to provide relative to the identification and rehabilitation of blighted housing property and procedures therefor; to provide for the powers, duties, functions, and responsibilities of parishes, municipalities, and courts relative thereto; to provide for designation of qualified rehabilitation entities; to provide relative to permits, taxes, liens, obligations, and liability; to provide relative to certain preferences; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1086—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 49:214.7(A) and to enact R.S. 49:214.7(E), relative to barrier islands; to require that barrier island stabilization or reconstruction projects contain a minimum dune height; to require the Department of Natural Resources to report annually to the legislature relative to the status and plans for barrier islands; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1103—

BY REPRESENTATIVES WADDELL, BEARD, DANIEL, DOWNS, ERDEY,
GREENE, HUTTER, PITRE, M. POWELL, QUEZAIRE, AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(c) and 410(A)(3)(a)(iii) and R.S. 47:503(A)(3) and to enact R.S. 32:409(C), relative to personal information required by the office of motor vehicles on drivers license and motor vehicle registration applications; to provide relative to the address requirements on such forms for certain applicants; to provide exceptions for law enforcement officers, court officers, and members of their immediate families; to prohibit the release of personal information for such persons under certain circumstances; to provide for certain definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 32:387.10(A)(3), relative to special permits allowing operation of oversized and overweight trucks and combination vehicles; to provide relative to the limitations on a vehicle transporting certain logging equipment pursuant to such a permit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1184—

BY REPRESENTATIVES M. POWELL, DOWNS, T. POWELL, TRAHAN,
AND WALKER
AN ACT

To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

Reported without amendments.

May 23, 2006

HOUSE BILL NO. 1190—
BY REPRESENTATIVE M. GULLORY
AN ACT

To enact R.S. 32:387.18, relative to special permits; to authorize the issuance of a special permit for the transport of specialized heavy haul equipment on interstate highways; to provide relative to certain limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1206—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To require the mayors of certain municipalities within the territorial boundaries of certain airport authorities to be members of the boards of commissioners of such airport authorities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1212—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:383(C), relative to the securing of loads on vehicles; to provide with respect to "loose materials" which must be covered; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1230—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 33:2740.42(A)(1) and (D), relative to Allen Parish; to authorize the governing authority to levy and collect an additional hotel occupancy tax with voter approval; to provide for the use of such tax; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1257—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:463.131 and 463.132, relative to motor vehicle prestige license plates; to provide for the creation of a Support Our Troops prestige license plate; to provide for the creation of the Motorcycle Awareness Campaign prestige license plates for certain motor vehicles and motorcycles; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1282—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1294—
BY REPRESENTATIVES QUEZAIRE, BEARD, AND DANIEL
AN ACT

To amend and reenact R.S. 48:2073 and to enact R.S. 48:2072(C) and (D) and 2084 through 2084.15, relative to the Louisiana Transportation Authority; to provide relative to legislative findings; to authorize the Louisiana Transportation Authority to enter into public-private partnership agreements for the construction of certain transportation facility projects; to provide

relative to definitions; to authorize the submission of transportation facility proposals by certain entities; to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees; to provide for the requirements of transportation facility proposals; to provide relative to the adoption of certain guidelines; to provide relative to the powers and duties of private entities; to provide relative to the requirements of a comprehensive agreement; to authorize certain funding sources; to provide relative to material defaults under certain circumstances and remedies for such defaults; to provide authority for the acquisition of certain property; to provide relative to police powers; to provide relative to utility crossings; to provide for procurement guidelines and requirements; to provide relative to multimodal transportation facilities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1306—
BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 48:250.3, relative to design-build contracts let by the Department of Transportation and Development; to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1332—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 41:1212(L), to authorize the Natchitoches Parish School Board to lease certain property to Waterworks District No. 2 of Natchitoches Parish for specified purposes; to provide relative to the term and cost of such lease; to provide conditions and limitations; to provide relative to access to the leased property; to provide an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 22, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 9—
BY SENATOR SMITH AND REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 49:191(4) and to repeal R.S. 49:191(1)(a), relative to the Department of Agriculture and Forestry; to provide for the re-creation of the Department of Agriculture and Forestry and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 146—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 56:116.4(A)(3), to provide relative to turkey hunting; to provide for the method of taking turkeys; to provide relative to certain exceptions; to provide relative to certain distance requirements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 83—
BY SENATOR BROOME
A RESOLUTION

To proclaim May 24, 2006, as Junior League Day at the Louisiana Senate.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 84—
BY SENATOR NEVERS
A RESOLUTION

To declare June 20, 2006 through June 23, 2006 as "Apprenticeship and Training Week" in recognition of the outstanding contribution of quality apprenticeship training in this state.

On motion of Senator Nevers, the resolution was read by title and adopted.

Senate Bills and Joint Resolutions
on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 749— (Substitute of Senate Bill No. 335 By Senator Nevers)
BY SENATOR NEVERS
AN ACT

To enact Subpart A-3 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:187.1 through 187.5, relative to public schools and school children; to provide for articulated and reciprocal technical training for shared students; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of programs of dual enrollment of students in public secondary schools and institutions under the jurisdiction of the Board of Supervisors of Louisiana Community and Technical Colleges; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education, the Board of Supervisors of Louisiana Community and Technical Colleges, the city, parish, or other local public school boards, and the governing boards of public schools not under the jurisdiction of a local board; to provide

relative to the funding for dual enrollment; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and ordered engrossed and passed to a third reading.

Senate Concurrent Resolutions
on Second Reading

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATOR BAJOIE
A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs and the Louisiana State University Health Care Services Division to execute to the fullest the terms established in the February 23, 2006 Memorandum of Understanding.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

Senate Concurrent Resolutions
on Second Reading, Subject to Call

The following Senate Concurrent Resolutions, subject to call, were read and acted upon as follows:

Called from the Calendar

Senator Smith asked that Senate Concurrent Resolution No. 43 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR SMITH
A CONCURRENT RESOLUTION

To commend and congratulate Northwestern State University Demons basketball coach, Mike McConathy, upon the occasion of the completion of the 2005-2006 basketball season, which included a win in the National Collegiate Athletic Association (NCAA) men's basketball tournament and the winning of its second consecutive Southland Conference championship.

The resolution was read by title. Senator Smith moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Michot
Adley	Dupre	Mount
Amedee	Ellington	Murray
Bajoie	Fields	Nevers
Barham	Fontenot	Quinn
Boasso	Gautreaux B	Romero
Broome	Gautreaux N	Schedler
Cain	Hollis	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Duplessis	Jackson	Marionneaux
Heitmeier	Jones	McPherson
Total - 6		

May 23, 2006

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 23, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 58—
BY REPRESENTATIVES DANIEL AND M. POWELL
AN ACT

To enact R.S. 44:12.1, relative to public records; to prohibit the use of only oral contacts and interviews for certain applicants for certain public positions; to provide for the examination, inspection, copying, or reproduction of certain specific records; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 669—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 18:1284(C), relative to proposition elections; to provide for the content of the proposition; and to provide for related matters.

HOUSE BILL NO. 1315—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) and to enact R.S. 4:724(B)(10) and (J) and 740(D), relative to charitable gaming; to provide for the number of electronic video bingo machines which may be operated at a licensed establishment; to provide for limitations on the times electronic video bingo machines may be operated; to provide with respect to the beginning of bingo sessions; to provide with respect to payment of paid workers working at charitable gaming sessions; to prohibit persons under the age of twenty-one from operating electronic video bingo machines; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 58—
BY REPRESENTATIVES DANIEL AND M. POWELL
AN ACT

To enact R.S. 44:12.1, relative to public records; to prohibit the use of only oral contacts and interviews for certain applicants for certain public positions; to provide for the examination, inspection, copying, or reproduction of certain specific records; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 669—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 18:1284(C), relative to proposition elections; to provide for the content of the proposition; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1315—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:715(A)(2)(b) and (B)(2), 724(B)(9), and 740(B) and to enact R.S. 4:724(B)(10) and (J) and 740(D), relative to charitable gaming; to provide for the number of electronic video bingo machines which may be operated at a licensed establishment; to provide for limitations on the times electronic video bingo machines may be operated; to provide with respect to the beginning of bingo sessions; to provide with respect to payment of paid workers working at charitable gaming sessions; to prohibit persons under the age of twenty-one from operating electronic video bingo machines; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 23, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 119—
BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits to conduct a study of Health Access Louisiana (HAL), a proposal for health coverage reform in the state.

HOUSE CONCURRENT RESOLUTION NO. 221—
BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To proclaim May 20th through the 26th, 2006, as Safe Boating Week in Louisiana and the start of a year-round effort to promote safe boating.

HOUSE CONCURRENT RESOLUTION NO. 222—
BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize Alpha Kappa Alpha Sorority, Incorporated as a benevolent and valiant leader in the wake of Hurricanes Katrina and Rita and the devastation endured by the citizens of Louisiana and to commend the organization for its resolute position and concern for the citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the public postsecondary education management boards, to study the feasibility of the implementation by such management boards of an alternative leave program for unclassified and academic personnel employed in postsecondary education

institutions under the respective jurisdiction of each board as an option to the sick and annual leave that is currently provided to such employees pursuant to state law and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 224—
 BY REPRESENTATIVES BRUCE AND MONTGOMERY
 A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Sam Giordano, president and general manager of the State Fair of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 225—
 BY REPRESENTATIVE FAUCHEUX
 A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to take such actions as are necessary to improve traffic flow at the intersection of U.S. Highway 61 and Main Street in Laplace, Louisiana, including the installation of No U Turn signs and increasing the timing of the left turn signal off of Highway 61 onto Main Street.

HOUSE CONCURRENT RESOLUTION NO. 226—
 BY REPRESENTATIVE FAUCHEUX
 A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reduce to thirty-five miles per hour the speed limit on Louisiana Highway 628 in St. John the Baptist Parish.

HOUSE CONCURRENT RESOLUTION NO. 227—
 BY REPRESENTATIVE WALSWORTH
 A CONCURRENT RESOLUTION

To urge and request the governor, the lieutenant governor, the attorney general, the Department of Environmental Quality, the Department of Natural Resource, and the Department of Wildlife and Fisheries to participate in and monitor the activities related to the proposed permitting of the El Dorado Wastewater Effluent Pipeline.

HOUSE CONCURRENT RESOLUTION NO. 228—
 BY REPRESENTATIVE GRAY
 A CONCURRENT RESOLUTION

To urge and request the Department of Social Services, office of community services, and the Department of Education to provide a plan for improved educational outcomes for students in foster care.

Respectfully submitted,
 ALFRED W. SPEER
 Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 119—
 BY REPRESENTATIVE MORRISH
 A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits to conduct a study of Health Access Louisiana (HAL), a proposal for health coverage reform in the state.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 221—
 BY REPRESENTATIVE JACK SMITH
 A CONCURRENT RESOLUTION

To proclaim May 20th through the 26th, 2006, as Safe Boating Week in Louisiana and the start of a year-round effort to promote safe boating.

The resolution was read by title. Senator B. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Quinn
Boasso	Gautreaux N	Romero
Broome	Hollis	Shepherd
Cain	Jackson	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis	Jones	Schedler
Heitmeier	Marionneaux	
Total - 5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 222—
 BY REPRESENTATIVE MARCHAND
 A CONCURRENT RESOLUTION

To recognize Alpha Kappa Alpha Sorority, Incorporated as a benevolent and valiant leader in the wake of Hurricanes Katrina and Rita and the devastation endured by the citizens of Louisiana and to commend the organization for its resolute position and concern for the citizens of Louisiana.

The resolution was read by title. Senator Shepherd moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Quinn
Boasso	Gautreaux N	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Jones
Heitmeier	Marionneaux
Total - 4	

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The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 223—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the public postsecondary education management boards, to study the feasibility of the implementation by such management boards of an alternative leave program for unclassified and academic personnel employed in postsecondary education institutions under the respective jurisdiction of each board as an option to the sick and annual leave that is currently provided to such employees pursuant to state law and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 224—

BY REPRESENTATIVES BRUCE AND MONTGOMERY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Sam Giordano, president and general manager of the State Fair of Louisiana.

The resolution was read by title. Senator Cheek moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Duplessis	Heitmeier	Marionneaux
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 225—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to take such actions as are necessary to improve traffic flow at the intersection of U.S. Highway 61 and Main Street in Laplace, Louisiana, including the installation of No U Turn signs and increasing the timing of the left turn signal off of Highway 61 onto Main Street.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 226—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reduce to thirty-five miles per hour the speed limit on Louisiana Highway 628 in St. John the Baptist Parish.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 227—

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the governor, the lieutenant governor, the attorney general, the Department of Environmental Quality, the Department of Natural Resource, and the Department of Wildlife and Fisheries to participate in and monitor the activities related to the proposed permitting of the El Dorado Wastewater Effluent Pipeline.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Environmental Quality.

HOUSE CONCURRENT RESOLUTION NO. 228—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services, office of community services, and the Department of Education to provide a plan for improved educational outcomes for students in foster care.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Education.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 169—

BY REPRESENTATIVE BADON

AN ACT

To amend and reenact R.S. 40:2531(B)(7), relative to investigations of law enforcement officers; to provide for the length of time within which an investigation of certain law enforcement officers must be completed in a parish with a population exceeding four hundred seventy-five thousand; to provide for disciplinary action for failure to timely complete the investigative report; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 226—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:193(A), relative to viatical settlements; to provide relative to the annual statement of viatical settlement transactions required to be submitted to the commissioner of insurance; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 251—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:191.1(C), relative to viatical settlements; to provide for an annual expiration date for a license as a viatical settlement provider, broker, or investment agent; to provide otherwise with respect to renewal of such licenses; to provide relative to the annual statement required of licensees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and

referred to the Committee on Insurance.

HOUSE BILL NO. 313—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:1384(A)(3), relative to the Insurance Guaranty Association; to modify the authority of the commissioner of insurance with respect to the board of commissioners of the association relative to certificates of authority of insurers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 327—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 22:1381(A)(2), relative to the Insurance Guaranty Association; to delete superseded provisions relative to the board of directors of the association.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 397—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 36:458(B), (C), (D), (E), and (F), relative to the offices, purposes, and functions of the Department of Revenue; to modify certain provisions to reflect the agency's current organizational structure and functions; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 426—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 27:308(H), relative to the Video Draw Poker Devices Control Law; to provide for a seventy-two-hour notice to the device owner prior to disabling any video draw poker device; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 839—
BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH
AND SENATOR N. GAUTREAU
AN ACT

To amend and reenact R.S. 56:306(A)(2)(a), 306.2(A)(3), 306.6(A), and 332(K) and to repeal Subpart I of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:309 through 309.4, relative to soft shell crab shadders license; to eliminate the soft shell crab shadders license; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 851—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2186(A) and to enact R.S. 30:2011(D)(25), relative to reviews and determination conducted by the Department of Environmental Quality; to provide for request for reviews of certain immovable property; to provide for reviews and determinations of environmental media; to provide for fees; to provide for authority to promulgate rules and regulations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 1130—

BY REPRESENTATIVES RICHMOND, ARNOLD, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DANIEL, DARTEZ, DORSEY, FANNIN, FRITH, GALLOT, GLOVER, GRAY, HEBERT, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LAFONTA, MARCHAND, MCDONALD, MORRELL, PIERRE, QUEZAIRE, RITCHIE, ROMERO, ST. GERMAIN, AND THOMPSON
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.101 through 9039.112, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1167—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 9:2800.16, relative to limitations of liability; to provide an exemption from liability for the gratuitous medical transportation services for a child and his family under certain circumstances; to provide for exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1200—
BY REPRESENTATIVES ARNOLD AND TUCKER
AN ACT

To require the Crescent City Connection Division within the Department of Transportation and Development to operate the Algiers/Canal Street ferry during certain hours; to provide exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1217—
BY REPRESENTATIVES K. CARTER, ALEXANDER, ANSARDI,
BOWLER, AND WALKER
AN ACT

To enact Chapter 4 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4241 through 4276, relative to arbitration; to provide for the International Commercial Arbitration Act; to provide for definitions; to provide for court intervention; to provide for arbitration agreements; to provide for the arbitral tribunal; to provide for jurisdiction; to provide procedures; to provide for the making of awards; to provide for settlements; to provide for recourse; to provide for recognition; to provide for enforcement; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1235—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 37:1226.2(B), (C), (D), and (E) and to enact R.S. 37:1226.2 (A)(3), (F), (G), and (H), relative to prescription drug returns, exchanges, and redispensing; to allow a penal institution or state hospital for the mentally ill to receive

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donated medications for redispensing to individuals in its facility; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1272—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:1478, relative to property insurance; to provide for insurer-produced written catastrophe response plans; to provide that the catastrophe plan describe each insurer's response to catastrophes affecting insureds; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1291—
BY REPRESENTATIVES ERDEY, R. CARTER, FAUCHEUX, AND WHITE
AN ACT

To enact R.S. 49:155.6, relative to state symbols; to provide the state cajun poem to be "I Am Louisiana" by Paul Ott; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1301—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 22:1386(A), relative to the Louisiana Insurance Guaranty Association; to provide relative to nonduplication of recovery; to provide for an exception for coverage afforded through state agencies under self-insurance certificates; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1302—
BY REPRESENTATIVE BURNS
AN ACT

To provide relative to the interruption of prescription for property damage claims related to Hurricanes Katrina and Rita; to establish legislative intent; to provide for the interruption of prescription for one year; to authorize suit for declaratory judgment; to provide an emergency effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1307—
BY REPRESENTATIVES HUTTER AND LANCASTER
AN ACT

To amend and reenact R.S. 18:402(C), (E)(1)(c) and (2)(c), and (F)(3), 1280.21, and 1280.22(B)(1), relative to the presidential preference primary and elections held at the same time as such primary; to change the dates of the presidential preference primary and elections held at the same time as such primary; to allow for certain municipal primary and general elections to be held on the existing date; to provide relative to the costs incurred in such elections; to require notice to the secretary of state by the municipal governing authority of its decision to avail itself of the existing date; to provide relative to candidate qualifying for the presidential preference primary; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1308—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1305(I), relative to motor vehicle safety inspection programs; to revise the programs relative to motor vehicles transporting general freight and commodities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1312—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 32:361.2(A)(2)(f) and 361.3(C), relative to motor vehicle windshields; to provide for objects or materials placed or affixed on windshields; to provide for medical and security exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

Senator Theunissen in the Chair

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 217—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to provide an update to the House and Senate Transportation, Highways and Public Works Committees prior to the adjournment of the 2006 Regular Session, regarding the status of its field offices in hurricane-affected areas.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Michot
Adley	Dupre	Mount
Amedee	Ellington	Murray
Bajoie	Fields	Nevers
Barham	Fontenot	Quinn
Boasso	Gautreaux B	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Lentini	Smith
Cheek	Malone	Theunissen
Cravins	McPherson	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Duplessis	Heitmeier	Kostelka
Gautreaux N	Jones	Marionneaux
Total - 6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 220—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To encourage the growth, technology, and workforce base of the Louisiana entertainment industries which have experienced a resurgence in the areas of film, digital media, and sound recording due to extremely competitive incentive programs offered to entertainment companies worldwide.

On motion of Senator Cheek, the resolution was read by title and returned to the Calendar, subject to call.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

May 22, 2006

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE BILL NO. 486—
BY SENATOR JACKSON

AN ACT

To enact R.S. 39:36(A)(6), relative to the contents and format of the executive budget; to provide for certain comparative statements; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 607—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 29:726(E)(21) and 729(E)(14), relative to emergency preparedness; to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter of household pets and service animals in emergencies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 4—

BY REPRESENTATIVES MCDONALD, ALARIO, ALEXANDER, ARNOLD, BALDONE, BRUCE, BURNS, BURRELL, CAZAYOUX, CRAVINS, CROWE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, GEYMAN, GREENE, JOHNS, KATZ, KLECKLEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MORRISH, PINAC, T. POWELL, ROMERO, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, TOOMY, TRICHE, WALSWORTH, WHITE, AND WOOTON AND SENATORS BARHAM AND CAIN

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C) and 78.1(D) and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen years; to provide relative to the electronic monitoring of offenders; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 92—

BY REPRESENTATIVES DANIEL, DORSEY, AND HONEY
AN ACT

To amend and reenact R.S. 13:992.1(A), (B)(1)(a) and (2)(a) and (b), relative to the Nineteenth Judicial District Court judicial building; to provide for an increase in fees of authorized cost per recordation; to provide exclusions for juvenile, succession, and family matters from the increase in fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 154—

BY REPRESENTATIVES STRAIN, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BURRELL, CRANE, CROWE, DANIEL, DOERGE, DOVE, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GREENE, HARRIS, HEATON, HONEY, KATZ, KENNEY, MCDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JANE SMITH, TRAHAN, TUCKER, WADDELL, AND WALKER
AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain students of postsecondary education institutions to provide documentation of certain immunizations; to require such institutions to provide information relative to certain immunizations to certain persons; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 175—

BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 17:421.6(C), relative to salary adjustments for certain persons holding certificates issued by the National Board for Professional Teaching Standards; to provide conditions for receiving the adjustment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 317—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 13:2106(C), relative to the clerks of court in St. Tammany Parish; to specify some organizations to whom the clerk of the city court of Slidell shall remit funds collected to provide shelter for battered and homeless women and their children; to specify the organizations to whom the clerk of the Twenty-Second Judicial District Court in St. Tammany Parish shall remit funds collected to provide shelter for battered and homeless women and their children; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 403—

BY REPRESENTATIVE ALARIO
AN ACT

To repeal R.S. 39:1405.1(B), relative to fees to defray expenses of the State Bond Commission; to repeal the authorization to rebate excess fees collected by the State Bond Commission.

Reported favorably.

HOUSE BILL NO. 661—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1482(K), relative to professional, personal, consulting, and social services procurement; to exempt certain contracts with a higher education entity from procurement requirements; and to provide for related matters.

Reported favorably.

May 23, 2006

HOUSE BILL NO. 907—
BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 17:3803(B)(1) and (2) and (E), R.S. 39:98.2(A) and (D), and R.S. 49:327(B)(1) and (2), relative to the investment authority of the state treasurer; to provide for the investment and management of offshore revenues; to provide for the investment and management of monies in the Millennium Trust; to provide for the investment and management of the state general fund and other funds under the control of the state treasurer; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 960—
BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part VII-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.1, relative to the selection of professional services for public contracts; to prohibit the selection of providers of design professional services based on price; to provide for contracts for design professional services entered into where price or price-related factors were a factor in selection; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1129—
BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 56:1705, relative to state funds; to establish the Poverty Point Reservoir Development Fund as a special treasury fund; to provide for the deposit and use of monies in the fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1262—
BY REPRESENTATIVES SALTER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON

AN ACT

To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 23, 2006

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

HOUSE BILL NO. 21—
BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 15:556(2), relative to the Louisiana Sexual Assault Task Force; to provide relative to the reporting deadlines of the task force; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 87—
BY REPRESENTATIVE WHITE

AN ACT

To enact Part LXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.251, relative to health care of persons arrested for felony offenses; to require that hospitals notify requesting law enforcement agencies prior to discharge of a person admitted to the hospital under certain conditions; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 170—
BY REPRESENTATIVES WHITE AND KATZ

AN ACT

To amend and reenact R.S. 15:708(A)(1), (2), (3)(a), and (5), to enact R.S. 15:708(G) and (H), and to repeal R.S. 15:708(A)(3)(c), relative to labor by inmates at workday release programs; to provide an exception for the requirement that inmates remain under the custody and control of the sheriff in cases where the parish or municipal authorities assume the responsibility for the custody and control of participating prisoners for particular parish or municipal projects while the prisoners are outside of prison facilities; to provide for immunity for sheriffs and their employees for injuries or damages caused or suffered by prisoners participating in any work program during incarceration at parish jail facilities; to provide for applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 190—
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 40:1796, relative to the preemption of state law over local governmental ordinances regarding the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms or ammunition; to provide for an exception in cases of emergency or disaster; to provide for applicability in high-risk areas; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 503—
BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 809(B), 833(A), 834(A), 835(A), 836(A), 837, and 838(D) and to enact Children's Code Articles 834(F), 834.1, and 837.1 through 837.6, relative to the mental capacity of children to proceed to trial; to provide for a contradictory hearing; to provide for the qualifications of a restoration service provider; to provide for evaluations of the child; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 733—
BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact Children's Code Article 615(E)(1) and to enact Children's Code Articles 615(E)(4), 615.1, and 616.2, relative to a child in need of care; to provide for child abuse reporting and investigating; to provide a procedure for reporting to the district attorney; to provide for review by the district attorney; to create a central registry for reports of child sexual abuse; to authorize access to the registry; to provide for confidentiality; to require preservation of certain reports; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 765—

BY REPRESENTATIVE CRAVINS
AN ACT

To amend and reenact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 857—

BY REPRESENTATIVES BALDONE, ALARIO, ALEXANDER, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, R. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, MARTINY, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, WADDELL, WALKER, WALSWORTH, AND WOOTON
AN ACT

To enact R.S. 15:542(B)(7), relative to registration requirements for sex offenders; to require sex offenders to register with local law enforcement officials when a sex offender has established a residence in a new parish for a certain period of time; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 873—

BY REPRESENTATIVES CAZAYOUX, BURRELL, DORSEY, FAUCHEUX, GLOVER, M. POWELL, SCALISE, AND WHITE
AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 29:726(E)(14)(c), (d), (e), and (f), relative to functions of the Governor's Office of Emergency Preparedness and Homeland Security; to prohibit registered sexual offenders from being housed with other evacuees during a declared state of emergency or after a declared state of emergency; to provide relative to the sheltering of registered sexual offenders; to require each shelter to notify law enforcement of any evacuee being housed who is a registered sex offender; to provide immunity from liability; to require the Louisiana Bureau of Criminal Identification and Information to provide a copy of the central registry of sex offenders to each emergency shelter opened or operating in the state of Louisiana in certain emergencies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 983—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 15:551, relative to the monitoring, apprehension, arrest, and prosecution of sex offenders; to create the Sexual Offender Apprehension Team; to provide for the activities of the sexual predator apprehension team; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1030—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 15:1303(D) and to enact R.S. 15:1303(C)(7) and (E), relative to electronic surveillance; to authorize a law enforcement officer or investigator to intercept, conduct, use, or disclose electronic, wire, or oral communications obtained during certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1081—

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 40:2267.3(D) and 2267.5, relative to the Acadiana Criminalistics Laboratory District and Commission; to provide for the membership; to provide for costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1367— (Substitute for House Bill No. 618 by Representative Martiny)

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph) and (7)(a), relative to the Video Draw Poker Devices Control Law; to provide for the determination of the number of video draw poker devices operated at truck stops based upon average annual fuel sales; to provide for the operation of twenty-five video draw poker devices at new truck stop facilities for ninety days without average fuel sale requirements; to provide for average monthly fuel sales determinations followed by annual average fuel sale determinations after twelve months of operation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1372— (Substitute for House Bill No. 78 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To enact Code of Criminal Procedure Article 644.1, relative to sanity determinations involving juveniles; to provide for procedures for obtaining a sanity hearing when juveniles are transferred to criminal court; to provide with respect to procedures for conducting those proceedings; to provide with respect to the determination of capacity to proceed to trial for juveniles transferred to criminal court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1373— (Substitute for House Bill No. 995 by Representative Gray)

BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 15:587.1(A)(1), relative to criminal history background information; to provide with respect to criminal background information for persons applying for a position of supervisory or disciplinary authority over children; to provide that the Louisiana Bureau of Criminal Identification and Information shall provide information regarding all criminal convictions for a period of ten years prior to the request; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1385— (Substitute for House Bill No. 567 by Representative Toomy)

BY REPRESENTATIVES TOOMY AND ANSARDI
AN ACT

To enact R.S. 15:571.11(N), relative to the Twenty-Fourth Judicial District Court; to provide concerning the operational funds of the court; to provide relative to the Criminal Court Fund; to provide for transcription of indigent felony cases; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

May 23, 2006

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 23, 2006

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

SENATE BILL NO. 594—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to environmental quality; to provide for the authority of the secretary of the Department of Environmental Quality; to prohibit the permitting of certain solid waste facilities in certain parishes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 609—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2418(G), (I), (N), and (O)(3), relative to waste tires; to sunset the fund in the state treasury known as the "Waste Tire Management Fund"; to provide certain terms, conditions, and procedures; to provide for certain fees and funds; to provide for payments to qualified waste tire processors for processing waste tires; to provide for deposit of certain fees, fines, penalties and interest, and costs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 55—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and to enact R.S. 30:2418(H)(10), relative to fees collected on the sale of tires; to provide for an exemption from the fee on certain tire sales; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 371—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(g), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 511—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2411(B)(1), 2412(3), (4), (5), (20), and (26), 2413(A)(8), 2415(A), (C), (D), and (E), 2417(A)(5), 2420(B), and 2421(B), to enact R.S. 30:2413(A)(10), and to repeal R.S. 30:2412(1.1) and (4.1) and 2417(A)(6) and (7) and (E)(4), relative to solid waste and recycling; to provide for purpose; to provide for definitions; to provide for powers and duties of the secretary of the Department of Environmental Quality; to provide for used oil, batteries, and white goods; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 870—
BY REPRESENTATIVES DAMICO AND SALTER
AN ACT

To enact R.S. 30:2014.5, relative to expedited permits; to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for fees paid to the Department of Environmental Quality for processing certain permits; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
HEULETTE "CLO" FONTENOT
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 88—
BY SENATOR B. GAUTREUX
AN ACT

To amend and reenact R.S. 11:1006(A)(1) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retirees; to provide for limitation on earnings; to provide for payment to the system of amounts in excess of such limitation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator B. Gautreaux, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 649—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 47:1998(G), relative to appeals of tax assessments; to provide for the payment of attorney fees, expert fees, and costs under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 649 by Representative Salter

AMENDMENT NO. 1
On page 1, line 10, change "or" to "and"

AMENDMENT NO. 2
On page 1, line 12, after "valuation in" delete "a" and change "year" to "years"

AMENDMENT NO. 3
On page 1, delete line 13, and insert:
"been no change affecting the value of the assessed"

AMENDMENT NO. 4
On page 1, line 14, after "property" insert "and when the suit is frivolous as provided for in Code of Civil Procedure Article 2164"

AMENDMENT NO. 5

On page 1, line 16, change "or" to "and"

AMENDMENT NO. 6

On page 1, after line 17, insert:

"Section 2. The provisions of this Act shall not apply to tax years prior to January 1, 2007."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 684—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1978.1, 1992(F)(1) and (G), and 1997(C), relative to property assessment; to provide for listing and assessment procedures; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 684 by Representative Arnold

AMENDMENT NO. 1

On page 6, line 17, after "destroyed," insert "non-operational," and after "due" delete "to a disaster or"

AMENDMENT NO. 2

On page 6, line 18, after "governor" insert "or to a disaster or fire"

AMENDMENT NO. 3

On page 6, line 21, after "property" insert ", including obsolescence,"

AMENDMENT NO. 4

On page 6, line 22, after "disaster" insert ", fire."

AMENDMENT NO. 5

On page 6, delete line 26, and insert the following:

"B. The assessor shall assess such damaged, destroyed, non-operational, or uninhabitable property in one of"

AMENDMENT NO. 6

On page 6, line 28, change "damaged" to "such"

AMENDMENT NO. 7

On page 6, line 29, after "damaged" delete the remainder of the line, and on page 7, delete line 1, and insert "destroyed, non-operational, or uninhabitable due to an emergency declared by the governor or due to a disaster or fire, the general"

AMENDMENT NO. 8

On page 7, line 11, after "damaged" delete the remainder of the line, and delete line 12, and insert: "destroyed, non-operational, or uninhabitable due to an emergency declared by the governor or due to a disaster or fire, the general"

AMENDMENT NO. 9

On page 8, between lines 11 and 12, insert the following:

"D. The provisions of this Section shall also apply to the Louisiana Tax Commission in the assessment of public service properties."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 958—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:303(B)(3)(b)(v), relative to the collection of local sales and use tax on motor vehicles; to specify procedure for resolution of boundary disputes between taxing bodies; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 999—

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 40:600.25(C) and 600.26(D)(5), relative to the Louisiana Housing Trust Fund; to provide for the levy of fees by the Louisiana Housing Finance Agency; to provide for the deposit of the fees into the Louisiana Housing Trust Fund; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 999 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 4, between "Fund;" and "and" insert "to exempt nonprofit organizations from such fees;"

AMENDMENT NO. 2

On page 1, line 11, change "C." to "C.(1)"

AMENDMENT NO. 3

On page 1, between lines 17 and 18, insert the following:

"(2) The provisions of this Subsection shall not apply to an organization that has nonprofit status under Section 501(c)(3) of the Internal Revenue Code."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1158—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 47:820.4(D), relative to the Transportation Infrastructure Model for Economic Development; to provide relative to bonds sold to fund the program; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and recommitted House Bill No. 345 from the Committee on Education to the Committee on Finance.

Rules Suspended

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of advancing to the order of House Bills on Third Reading and Final Passage and taking up House Bill No. 1304 out of its regular order.

May 23, 2006

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 1304— BY REPRESENTATIVE ROBIDEAUX AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Dupre, Total - 37; Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, McPherson; Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Uilo.

NAYS

Total - 0

ABSENT

Duplessis, Marionneaux, Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

Reconsideration

On motion of Senator Cheek, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, May 22, 2006, was reconsidered.

SENATE BILL NO. 522— BY SENATOR CHEEK AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; and to provide for related matters.

The bill was read by title. Senator Cheek moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Amedee, Bajoie, Chaisson, Cheek, Cravins, Dardenne, Dupre, Total - 24; Fields, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Malone; McPherson, Michot, Murray, Quinn, Romero, Shepherd, Theunissen, Uilo.

NAYS

Table with 3 columns of names: Barham, Boasso, Broome, Cain, Total - 12; Ellington, Fontenot, Kostelka, Lentini; Mount, Nevers, Schedler, Smith.

ABSENT

Adley, Duplessis, Marionneaux, Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 652— BY SENATOR LENTINI AN ACT

To enact R.S. 14:102.21 and to repeal R.S. 14:102.1(D), relative to criminal offenses; to provide relative to the criminal code and to offenses against the state; to provide relative to the prohibition of certain activities and the penalties provided therefor; to provide relative to offenses against animals and affecting the public sensibility; to create the crime of cockfighting; to provide relative to the prosecution of such crime; to provide for definitions; to prohibit transportation of certain animals for certain purposes; to prohibit certain activities related to cockfighting; to provide relative to penalties, conditions, and requirements; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed Senate Bill No. 652 by Senator Lentini

AMENDMENT NO. 1

On page 2, between lines 20 and 21, insert the following:

"G.(1) The prohibition against cockfighting shall not be effective in any parish until the election required in this Subsection has occurred, and only as provided for in this Subsection, and shall thereafter only be effective as provided for in this Subsection.

(2) At the time of the statewide election to be conducted September 30, 2006, a proposition shall appear on the ballot in every parish to determine whether the conducting of cockfighting shall be permitted in that parish.

(3) The ballot for the election shall provide as follows:

LOCAL OPTION ELECTION

Within _____ (name of parish or other voting area authorized by law):

Shall the conducting of cockfighting be permitted? YES() NO()"

(4) A majority of votes cast on each proposition shall separately determine that issue for each parish.

(5) If a majority of the electors voting in the election vote in favor of permitting the continuation of cockfighting activity, then such activity prohibited by Subsections A through F of this Section shall be permitted in that parish.

(6) The secretary of state shall prepare and distribute the ballot for the election.

(7) The costs of the election required in this Subsection shall be borne by the state.

(8) Except as otherwise provided for in this Subsection, the election required in this Subsection shall be conducted as provided in Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950."

Senator N. Gautreaux moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N
Cravins	Romero
Total - 4	

NAYS

Adeley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Heitmeier	Nevers
Barham	Hollis	Quinn
Boasso	Jackson	Schedler
Broome	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	McPherson	
Ellington	Michot	
Total - 31		

ABSENT

Cain	Fields
Duplessis	Marionneaux
Total - 4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Reengrossed Senate Bill No. 652 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "R.S." insert "3:2229 and"

AMENDMENT NO. 2

On page 1, line 8, after "cockfighting;" insert "to provide for animal health disease and testing;"

AMENDMENT NO. 3

On page 1, between lines 10 and 11 insert the following:
"Section 1. R.S. 3:2229 is hereby enacted to read as follows:

§2229. Inspection of poultry

A. Owners of gamecocks, gamehens or gamefowl over two months of age shall quarantine, test, or vaccinate such poultry whenever necessary to prevent, control or eradicate bird flu, avian influenza, exotic newcastle or any infectious disease present in poultry to prevent the transmission of these disease. Any person owning or having charge of such poultry located in the state shall have the poultry tested by the Department of Agriculture and Forestry annually.

B. The Louisiana State Livestock Sanitary Board shall have the powers and duty to adopt such rules and regulations as are necessary to implement and enforce the provisions of this Section. Such rules and regulations shall be adopted in accordance with the Administrative Procedure Act."

AMENDMENT NO. 4

On page 1, line 11, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, line 21, change "Section 2." to "Section 3."

Senator Lentini asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was germane to the bill.

Senator Nevers moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cravins	Michot
Amedee	Dupre	Nevers
Barham	Fontenot	Romero
Cheek	Gautreaux N	
Total - 11		

NAYS

Adeley	Heitmeier	Mount
Bajoie	Hollis	Murray
Boasso	Jackson	Quinn
Broome	Jones	Schedler
Chaisson	Kostelka	Shepherd
Dardenne	Lentini	Smith
Ellington	Malone	Theunissen
Gautreaux B	McPherson	Ullo
Total - 24		

ABSENT

Cain	Fields
Duplessis	Marionneaux
Total - 4	

The Chair declared the amendments were rejected.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Ellington	Michot
Amedee	Gautreaux B	Mount
Bajoie	Heitmeier	Murray
Barham	Hollis	Nevers
Boasso	Jackson	Quinn

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Broome	Jones	Schedler
Chaisson	Kostelka	Shepherd
Cheek	Lentini	Smith
Dardenne	Malone	Theunissen
Dupre	McPherson	Ullo

Total - 30

NAYS

Mr. President	Fontenot
Cravins	Romero

Total - 4

ABSENT

Cain	Fields	Marionneaux
Duplessis	Gautreaux N	

Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Concurrent Resolutions
Returned from the House of Representatives
with Amendments**

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To create a study committee to review and recommend a proposal for development and location of regional records centers outside of the State Archives Building and a records recovery complex to provide for storage and back up storage for Louisiana's clerks of court, registrars of voters, assessors and the secretary of state's office.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 15 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert:

"request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues related to the storage and location of regional records and to recommend a proposal for the development and"

AMENDMENT NO. 2

On page 2, line 3, after "Louisiana" delete the remainder of the line and delete line 4 and insert:

"does hereby request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues related to the storage and location of regional records and to recommend a proposal for the development and location of regional"

AMENDMENT NO. 3

On page 2, line 6, before "that the" delete the remainder of the line and delete lines 7 through 30 and on page 3, delete lines 1 through 25 and insert the following:

"that the joint committee shall specifically solicit the recommendations, input, and advice of the following:

- (1) An employee of the office of facility planning and control

in the division of administration designated by the commissioner of administration.

(2) An employee of the office of risk management in the division of administration designated by the commissioner of administration.

(3) Two employees of the division of archives, records management and history of the Department of State designated by the secretary of state.

(4) The secretary of state or his designee.

(5) One employee from each of the following, designated by the secretary of state: the executive office, the commercial division, the elections division, and the museums division of the department of State.

(6) Two representatives of the Louisiana Clerks of Court Association designated by the president of such association.

(7) A representative of the Louisiana Supreme Court designated by the chief justice.

(8) Two representatives of the Louisiana Registrar of Voters Association designated by the president of such association.

(9) A representative of the Louisiana Assessors Association appointed by the president of such association.

(10) An employee of the archeology division within the Department of Culture, Recreation and Tourism designated by the lieutenant governor.

(11) An employee of the office of the state museum within the Department of Culture, Recreation and Tourism designated by the lieutenant governor.

BE IT FURTHER RESOLVED that the joint committee shall report its findings to the legislature by March 1, 2007."

AMENDMENT NO. 4

On page 3, line 27, before "lieutenant governor," insert "the"

Senator Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Bajoie	Heitmeier	Quinn
Barham	Hollis	Romero
Boasso	Jackson	Schedler
Broome	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Dupre	Michot	

Total - 34

NAYS

Total - 0

ABSENT

Cain	Fields	Marionneaux
Duplessis	Gautreaux N	

Total - 5

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consider pay increases for school support

personnel.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original Senate Concurrent Resolution No. 18 by Senator Nevers

AMENDMENT NO. 1

On page 2, delete lines 2 and 3 in their entirety

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Bajoie	Heitmeier	Quinn
Barham	Hollis	Romero
Boasso	Jackson	Schedler
Broome	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Cain	Fields	Marionneaux
Duplessis	Gautreaux N	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 2—

BY SENATORS N. GAUTREAUX, CHAISSON, AMEDEE, BROOME, CAIN, DUPLESSIS, ELLINGTON, HOLLIS, JACKSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, ADLEY, BAJOIE, BARHAM, BOASSO, CHEEK, CRAVINS, DARDENNE, DUPRE, B. GAUTREAUX, JONES, LENTINI, MCPHERSON, MURRAY, QUINN, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C), 78.1(D), 81(C), and 81.1(E), and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 26—
BY SENATOR DUPRE

AN ACT

To enact R.S. 49:213.1(E) and 213.4(A)(7), and to repeal that portion of Section 3 of Act No. 1 of the 2006 First Extraordinary Session of the Legislature enacting R.S. 49:213.1(E) and 213.4(A)(7), relative to the Coastal Protection and Restoration Authority; to provide relative to its powers, duties, and functions; to authorize the authority to serve as the single entity responsible to act as local sponsor for certain projects relative to hurricane protection and flood control; to authorize the authority to enter into certain contracts relative to hurricane protection and flood control projects; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 26 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "repeal" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof: "R.S. 49:213.1(E) and 213.4(A)(7) as enacted by Act No. 1 of the 2006 First Extraordinary Session of the Legislature."

AMENDMENT NO. 2

On page 1, line 4, delete "49:213.1(E) and 213.4(A)(7),"

AMENDMENT NO. 3

On page 2, line 18, after "Section 2." delete the remainder of the line and delete lines 19 and 20 in their entirety and insert in lieu thereof: "R.S. 49:213.1(E) and 213.4(A)(7) as enacted by Act No. 1 of the 2006 First Extraordinary Session of the Legislature are hereby repealed in their entirety."

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Bajoie	Heitmeier	Quinn
Barham	Hollis	Romero
Boasso	Jackson	Schedler
Broome	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Cain	Fields	Marionneaux
Duplessis	Gautreaux N	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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SENATE BILL NO. 142—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 26:909 and R.S. 47:843(C)(5), 844, 848(B), and 859(A)(1) and to enact R.S. 26:907.1 and 916(H), relative to regulation of tobacco products; to provide for certain regulation, permitting, and other requirements for certain elements of the tobacco industry; to authorize enforcement and audit of certain activities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 142 by Senator Adley (Duplicate of House Bill No. 200)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:843(C)(5)," delete "844,"

AMENDMENT NO. 2

On page 1, line 3, after "916(H)" delete the comma "," and insert "and R.S. 47:844(D) and 844.1,"

AMENDMENT NO. 3

On page 1, line 6, after "activities;" insert the following:
"to provide for a new provision governing dealer permits under the office of alcohol and tobacco control; to provide for suspension or revocation of a permit by the office of alcohol and tobacco control; to provide for applying for and obtaining a permit; to provide that certain provisions providing for applying for and obtaining a permit, certain obligations of the secretary of the Department of Revenue, certain provisions relating to an applicant having been convicted of a felony, and certain provisions requiring fees for application in the Department of Revenue apply only to tobacconists; to provide for definitions;"

AMENDMENT NO. 4

On page 1, at the beginning of line 12, insert "A." and after "commissioner" delete "may" and insert "shall have the authority to"

AMENDMENT NO. 5

On page 1, line 16, after "Chapter." delete the remainder of the line and delete line 17 in its entirety and on page 2, delete lines 1 and 2 in their entirety and insert the following:

"B. No rule or regulation promulgated pursuant to this Section shall apply to a tobacconist."

AMENDMENT NO. 6

On page 2, between lines 20 and 21, insert the following:
"(b) Where, in the discretion of the commissioner, the person is not of good moral character."

AMENDMENT NO. 7

On page 2, at the beginning of line 21, change "(b)" to "(c)"

AMENDMENT NO. 8

On page 3, line 2, delete the comma "," after "1950"

AMENDMENT NO. 9

On page 3, delete lines 17 and 18 in their entirety

AMENDMENT NO. 10

On page 3, at the beginning of line 19, change "F." to "E." and after "provision of" delete "the"

AMENDMENT NO. 11

On page 3, line 20, after "outlet" insert "as defined in this Subsection"

AMENDMENT NO. 12

On page 3, at the end of line 21, after "manufacturer" change the semicolon ";" to a comma ","

AMENDMENT NO. 13

On page 3, line 22, after "wholesale dealer," delete "provided" and insert "or other supplier, if"

AMENDMENT NO. 14

On page 3, delete line 23 in its entirety and insert "permit."

AMENDMENT NO. 15

On page 3, line 24, after "(2)" delete the remainder of the line and insert ""Tobacconist at a particular"

AMENDMENT NO. 16

On page 3, line 25, after "outlet" insert "for purposes of this Subsection"

AMENDMENT NO. 17

On page 3, between lines 28 and 29, insert the following:
"F. No rule or regulation promulgated pursuant to Subsections B, C, D, and F of this Section shall apply to a tobacconist."

AMENDMENT NO. 18

On page 4, line 6, after "R.S. 47:843(C)(5)," delete "844,"

AMENDMENT NO. 19

On page 4, line 7, after "reenacted" insert "and R.S. 47:844(D) and 844.1 are hereby enacted"

AMENDMENT NO. 20

On page 4, delete lines 19 through 29 in their entirety and on page 5, delete lines 1 through 29 in their entirety and on page 6, delete lines 1 through 28 in their entirety and insert the following:
" * * *

D.(1) The provisions of this Section shall only apply to tobacconists.

(2) "Tobacconist" is defined as a bona fide retail dealer engaged in receiving bulk smoking tobacco for the purpose of blending such tobacco for retail sale at a particular retail outlet where fifty percent or more of the total purchases for the preceding twelve months were purchases of tobacco products, excluding cigarettes.

§844.1. Dealer permits

A. Every person who sells or is about to engage in the business of selling at retail, at wholesale, or by vending machine, or is about to engage in the business of receiving unstamped or nontax paid cigarettes, cigars, or other tobacco products, or who is engaged in the business of receiving stamped cigarettes at wholesale shall first apply for and obtain a permit for each place of business and each vending machine from the office of alcohol and tobacco control in accordance with R.S. 26:901 et seq.

B. No rule or regulation promulgated pursuant to this Section shall apply to a tobacconist."

AMENDMENT NO. 21

On page 8, at the end of line 7, delete the period "." and insert a semicolon ";" and "if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2006, or on the day following such approval by the legislature, whichever is later."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 142 by Senator Adley

AMENDMENT NO. 1

Delete House Floor Amendment Numbers 1 and 2 proposed by Representative Pinac and adopted by the House of Representatives on May 3, 2006.

AMENDMENT NO. 2

In Amendment Number 3 of the set of House Floor Amendments proposed by Representative Pinac and adopted by the House of Representatives on May 3, 2006, on page 1, line 11, after "permit;" delete the remainder of the line, delete lines 12 through 15, and insert "to"

AMENDMENT NO. 3

Delete House Floor Amendment Numbers 5, 6, and 7 proposed by Representative Pinac and adopted by the House of Representatives on May 3, 2006.

AMENDMENT NO. 4

On page 3, at the end of line 1, delete "this Chapter or"

AMENDMENT NO. 5

On page 3, line 15, delete "secretary" and insert "commissioner"

AMENDMENT NO. 6

Delete House Floor Amendment Numbers 17, 18, 19, and 20 proposed by Representative Pinac and adopted by the House of Representatives on May 3, 2006.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 142 by Senator Adley

AMENDMENT NO. 1

In House Floor Amendment No. 15 proposed by Representative Pinac and adopted by the House of Representatives on May 3, 2006, on page 2, at the end of line 20, add "retail"

AMENDMENT NO. 2

On page 1, line 2, after "reenact" and before "and" change "R.S. 26:909" to "R.S. 26:901(16) and 909"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "hereby" change "R.S. 26:909 is" to "R.S. 26:901(16) and 909 are"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§901. Definitions

As used in this Chapter, the following terms have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

* * *

(16) "Wholesale dealer" means a dealer whose principal business is that of a wholesaler, who sells cigarettes, cigars, or other tobacco products to retail dealers for purpose of resale, who is a bona fide wholesaler, and fifty percent of whose total tobacco sales are to retail stores other than its own or its subsidiaries within Louisiana. Wholesale dealer shall include any person in the state who acquires cigarettes solely for the purpose of resale in vending machines, provided such person services fifty or more cigarette vending machines in Louisiana other than his own, and a Louisiana dealer who was affixing cigarette and tobacco stamps as of January 1, 1974. Wholesale dealer also shall include a bona fide tobacconist engaged in receiving bulk smoking tobacco for the purpose of blending such tobacco for retail sale at a particular retail outlet where fifty percent or more of the total purchases for the preceding twelve months were purchases of tobacco products, excluding cigarettes.

* * *

Senator Adley moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler

Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	

Total - 35

NAYS

Total - 0

ABSENT

Duplessis

Gautreaux N

Fields

Marionneaux

Total - 4

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 173—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2179, relative to environmental quality; to require the secretary of the Department of Environmental Quality to evaluate hazardous waste capacity in order to safely and efficiently manage such waste; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Engrossed Senate Bill No. 173 by Senator Fontenot

AMENDMENT NO. 1

On page 3, line 7, after "state" delete the remainder of the line and delete line 8 in its entirety and on line 9 delete "hazardous waste associated with a disaster response"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Engrossed Senate Bill No. 173 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 8, change "needs" to "management"

AMENDMENT NO. 2

On page 2, line 5, after "capacity" and before the period "." insert "for management of hazardous waste"

AMENDMENT NO. 3

On page 2, line 27, after "consider" insert "pending applications for"

AMENDMENT NO. 4

On page 2, line 28, after "and" insert "approved"

AMENDMENT NO. 5

On page 3, line 2, after "from" insert "an"

AMENDMENT NO. 6

On page 3, at the end of line 2, change "situations" to "situation"

AMENDMENT NO. 7

On page 3, line 7, after "impacting" delete "the parishes of"

AMENDMENT NO. 8

On page 3, line 9, before "where" delete "or"

AMENDMENT NO. 9

On page 3, at the end of line 11, delete "the"

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AMENDMENT NO. 10

On page 3, line 13, delete "or rescinded"

AMENDMENT NO. 11

On page 3, line 13, after "provide" delete the remainder of the line and at the beginning of line 14 delete "or rescission" and insert "notice to the House Committee on the Environment and the Senate Committee on Environmental Quality and public notice and shall receive and consider comments of any revision"

Senator Fontenot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' including Mr. President, Dupre, Michot, Adley, Ellington, Mount, Amedee, Fontenot, Murray, Bajoue, Gautreaux B, Nevers, Barham, Heitmeier, Quinn, Boasso, Hollis, Romero, Broome, Jackson, Schedler, Cain, Jones, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Cravins, Malone, Ullo, Dardenne, McPherson.

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: Duplessis, Fields, Gautreaux N, Marionneaux. Total - 4

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 180—

BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) and to enact R.S. 15:574.9(B)(3), relative to probation and parole; to provide for revocation of probation and parole; to limit incarceration period for technical violations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 180 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "and" delete "to enact" and on page 1, line 3 after "(B)" delete "(3)" and on page 2, line 18, after "(B)" delete "(3)" and change "enacted" to "amended and reenacted" and on page 2, line 23, following "B." and before "The" insert "(1)"

AMENDMENT NO. 2

On page 2, line 24, change " * * *" to "(a) The parolee has failed, without a satisfactory excuse, to comply with a condition of his parole; and (b) The violation of condition involves the commission of another felony, or misconduct including a substantial

risk that the parolee will commit another felony, or misconduct indicating that the parolee is unwilling to comply with proper conditions of parole."

AMENDMENT NO. 3

On page 2, line 25, at the beginning of the line and before "(a)" change "(3)" to "(2)"

AMENDMENT NO. 4

On page 2, line 25, following "of" and before "of this" change "Paragraphs (1) and (2)" to "Paragraph (1)"

AMENDMENT NO. 5

On page 3, line 3, following "this" and before "shall" change "Subsection" to "Paragraph"

AMENDMENT NO. 6

On page 3, line 5, following "this" and before ";" change "Subparagraph" to "Paragraph"

Senator Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' including Mr. President, Ellington, Mount, Adley, Fontenot, Murray, Amedee, Gautreaux B, Nevers, Bajoue, Heitmeier, Quinn, Barham, Hollis, Romero, Boasso, Jackson, Schedler, Broome, Jones, Shepherd, Chaisson, Kostelka, Smith, Cheek, Lentini, Theunissen, Cravins, Malone, Ullo, Dardenne, McPherson, Dupre, Michot.

Total - 34

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: Cain, Fields, Marionneaux, Duplessis, Gautreaux N. Total - 5

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 217—

BY SENATORS NEVERS AND CHEEK

AN ACT

To amend and reenact the introductory paragraph of R.S. 23:1541 and 1553(C), relative to unemployment compensation; to provide with respect to contributions; to provide for the social charge account and unemployment benefit charges arising from executive orders issued by the governor in response to a declared disaster or emergency; to prohibit the charging of such benefits to employers' experience rating records; to prohibit the recoupment of such benefits through the social charge tax; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Bowler to Reengrossed Senate Bill No. 217 by Senator Nevers (Duplicate of House Bill No. 608)

AMENDMENT NO. 1

On page 2, line 8, delete "individuals" and insert "employees of experience-rated employers"

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Gautreaux N
Fields	Marionneaux
Total - 4	

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 407—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(a) and to enact R.S. 27:364(A)(1)(b)(vi), relative to the Department of Social Services; to provide for the authority to seize progressive jackpot annuities from individuals in arrearage in child support; to authorize the gaming control board to promulgate rules for the seizure of progressive slot machine jackpots and annuities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Triche to Engrossed Senate Bill No. 407 by Senator Lentini (Duplicate of House Bill No. 819)

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 46:236.15(D)(1)(a)" and insert "R.S. 46:236.15(D)(1)(introductory paragraph) and (a)"

AMENDMENT NO. 2

On page 1, line 4, after "progressive" delete "jackpot" and insert "slot machine"

AMENDMENT NO. 3

On page 1, line 5, delete "the seizure" and insert "seizures"

AMENDMENT NO. 4

On page 1, line 6, delete "jackpots and"

AMENDMENT NO. 5

On page 1, line 8, delete "R.S. 46:236.15(D)(1)(a) is" and insert "R.S. 46:236.15(D)(1)(introductory paragraph) and (a) are"

AMENDMENT NO. 6

On page 2, line 1, change "and/or" to "or"

AMENDMENT NO. 7

On page 2, line 2, after "licensed" delete the remainder of the line and insert "or permitted by any state agency or"

AMENDMENT NO. 8

On page 2, at the beginning of line 3, delete "authorized" and after "board" delete the comma "," and insert "under Chapters 4, 5, or 7 of Title 27,"

AMENDMENT NO. 9

On page 2, at the end of line 5, change "first" to "second"

AMENDMENT NO. 10

On page 2, line 6, change "payments," to "payment,"

AMENDMENT NO. 11

On page 2, line 14, change "and/or" to "or"

AMENDMENT NO. 12

On page 2, at the beginning of line 25, delete the comma "," after "annuities" and after "who have" insert "received"

AMENDMENT NO. 13

On page 2, line 29, delete the comma "," after "arrearages"

AMENDMENT NO. 14

On page 3, line 2, after "withholding any" insert "progressive slot machine" and after "annuities" insert a comma ","

AMENDMENT NO. 15

On page 3, line 3, delete "adopt such rules" and insert "enact such rules and regulations"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed Senate Bill No. 407 by Senator Lentini

AMENDMENT NO. 1

Delete House Floor Amendment No. 3 proposed by Representative Triche and adopted by the House of Representatives on May 3, 2006.

AMENDMENT NO. 2

In House Floor Amendment No. 6 proposed by Representative Triche and adopted by the House of Representatives on May 3, 2006, on page 1, line 14, change "or" to "and/or or"

AMENDMENT NO. 3

In House Floor Amendment No. 8 proposed by Representative Triche and adopted by the House of Representatives on May 3, 2006, on page 1, line 20, between "Chapters" and "4," insert "1," and after "Title 27" and before the comma "," insert "of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 4

In House Floor Amendment No. 11 proposed by Representative Triche and adopted by the House of Representatives on May 3, 2006, on page 1, line 26, change "or" to "and/or or"

AMENDMENT NO. 5

Delete House Floor Amendment No. 12 proposed by Representative Triche and adopted by the House of Representatives on May 3, 2006.

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AMENDMENT NO. 6

Delete House Floor Amendment No. 14 proposed by Representative Triche and adopted by the House of Representatives on May 3, 2006.

AMENDMENT NO. 7

On page 3, line 2, after "licensed" delete the remainder of the line and insert "or permitted under this Title shall not be liable for withholding or failing to withhold any progressive slot machine annuities, based"

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Dupre, Ellington, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent, Present. Includes Duplessis, Fields, Marionneaux.

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator N. Gautreaux asked that Senate Bill No. 2 be called from the Calendar at this time.

SENATE BILL NO. 2—

BY SENATORS N. GAUTREAUX, CHAISSON, AMEDEE, BROOME, CAIN, DUPLESSIS, ELLINGTON, HOLLIS, JACKSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, ADLEY, BAJOIE, BARHAM, BOASSO, CHEEK, CRAVINS, DARDENNE, DUPRE, B. GAUTREAUX, JONES, LENTINI, MCPHERSON, MURRAY, QUINN, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C), 78.1(D), 81(C), and 81.1(E), and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 2 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, delete "78.1(D),"

AMENDMENT NO. 2

On page 1, at the end of line 4, insert "to provide relative to the electronic monitoring of offenders;"

AMENDMENT NO. 3

On page 1, line 7, delete "78.1(D),"

AMENDMENT NO. 4

On page 1, delete lines 14 through 17 in their entirety

AMENDMENT NO. 5

On page 2, delete lines 1 through 6 in their entirety and insert the following:

"(2) Whoever commits the crime of sexual battery on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion."

AMENDMENT NO. 6

On page 2, delete lines 12 through 21 in their entirety and insert the following:

"(2) Whoever commits the crime of second degree sexual battery on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual

offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion."

AMENDMENT NO. 7

On page 2, delete lines 27 through 29 in their entirety

AMENDMENT NO. 8

On page 3, delete lines 1 through 7 in their entirety and insert the following:

"(2) Whoever commits the crime of oral sexual battery on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion."

AMENDMENT NO. 9

On page 3, delete lines 9 through 24 in their entirety

AMENDMENT NO. 10

On page 4, line 5, after "than" delete the remainder of the line and delete line 6 in its entirety and insert "two nor more than twenty-five years. At least two years of the"

AMENDMENT NO. 11

On page 4, line 8, after "sentence." delete the remainder of the line and delete lines 9 through 12 in their entirety

AMENDMENT NO. 12

On page 4, delete lines 15 through 29 in their entirety

AMENDMENT NO. 13

On page 5, delete lines 1 through 3 in their entirety and insert the following:

"E. (1) Whoever commits the crime of pornography involving juveniles shall be fined not more than ten thousand dollars and be imprisoned at hard labor for not less than two years or more than ten years, without benefit of parole, probation, or suspension of sentence.

(2) Whoever commits the crime of pornography involving juveniles by violating the provisions of Paragraph (A)(2) of this Section on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

AMENDMENT NO. 14

On page 5, delete lines 6 through 14 in their entirety and insert the following:

"E.(1) Whoever commits the crime of molestation of a juvenile when the victim is under the age of thirteen years shall be imprisoned at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of probation, parole, or suspension of sentence.

(2) Upon completion of the term of imprisonment imposed in accordance with Paragraph (1) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(3) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(4) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(5) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion."

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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 2 by Senator N. Gautreaux

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 15, 2006, on page 1, line 13, after "is" and before the comma "," change "over the age of seventeen years" to "seventeen years of age or older"

AMENDMENT NO. 2

In House Committee Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 15, 2006, on page 2, line 2, after "is" delete the remainder of the line

AMENDMENT NO. 3

In House Committee Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 15, 2006, on page 2, line 3, after "years" and before the comma "," insert "of age or older"

AMENDMENT NO. 4

In House Committee Amendment No. 8 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 15, 2006, on page 2, line 33, after "is" and before the comma "," change "over the age of seventeen years" to "seventeen years of age or older"

AMENDMENT NO. 5

In House Committee Amendment No. 13 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 15, 2006, on page 3, line 23, after "is" and before the comma "," change "over the age of seventeen" to "seventeen years of age or older"

AMENDMENT NO. 6

On page 4, line 4, after "is" and before the comma "," change "over the age of seventeen" to "seventeen years of age or older"

Senator N. Gautreaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		
NAYS		
Total - 0		
ABSENT		
Duplessis	Fields	Marionneaux
Total - 3		

The Chair declared the amendments proposed by the House were concurred in. Senator N. Gautreaux moved to reconsider the

vote by which the amendments were concurred in and laid the motion on the table.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATORS B. GAUTREAUX, BOASSO, DARDENNE AND SHEPHERD

A CONCURRENT RESOLUTION

To authorize the board of trustees of the Louisiana State Employees' Retirement System to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such increase; and to provide for an effective date.

Reported favorably by the Committee on Retirement. The resolution was read by title, ordered engrossed, and recommitted to the Committee on Finance.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 111—

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:263, relative to secondary education curricula; to provide relative to required courses of study; to require certain topics to be included in certain courses of study; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		
NAYS		
Quinn		
Total - 1		
ABSENT		
Duplessis	Fields	Marionneaux
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 606—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 38:331, relative to reorganization of levee districts; to create and provide for the Orleans Lake Area Development Authority; to provide for membership of the board of directors; to transfer the control and management of certain non-flood protection functions and activities, and facilities and improvements involved therewith, of the Orleans Levee District; to provide for transfers to the Orleans Lake Area Development Authority; to designate the authority as the successor to the levee district regarding certain mineral leases; to provide for the liability of the authority for certain legal actions and claims arising against, and certain obligations of, the Orleans Levee District; to provide for the transfer of certain district employees to the authority; to provide for effectiveness; and to provide for related matters.

On motion of Senator Shepherd, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Malone asked that Senate Bill No. 239 be called from the Calendar at this time.

SENATE BILL NO. 239—
BY SENATORS MALONE, ULLO AND HOLLIS
AN ACT

To amend and reenact R.S. 49:191 and to repeal R.S. 49:191(1)(d), relative to the Department of Culture, Recreation and Tourism; to provide for the re-creation of the Department of Culture, Recreation and Tourism and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

On motion of Senator Malone, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator N. Gautreaux asked that Senate Bill No. 283 be called from the Calendar at this time.

SENATE BILL NO. 283—
BY SENATOR N. GAUTREAU
AN ACT

To amend and reenact R.S. 3:556.12(C), relative to the Louisiana Crawfish Promotion and Research Board; to remove certain restrictions on use of funds by the board; to provide that funds can be used for certain purposes; and to provide for related matters.

On motion of Senator N. Gautreaux, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Murray asked that Senate Bill No. 347 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 347—
BY SENATOR MURRAY

AN ACT

To enact R.S. 49:186, relative to prohibiting discrimination and harassment; to prohibit discrimination and harassment in state government; to provide for a certain definition; to permit certain dress and appearance requirements; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 347 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and delete line 3 and insert:

"R.S. 42:31, relative to state employment; to prohibit discrimination on the basis of sexual orientation; to provide for a certain"

AMENDMENT NO. 2

On page 1, line 7, delete "R.S. 49:186" and insert "R.S. 49:31"

AMENDMENT NO. 3

On page 1, delete lines 8 through 17 and insert:

"§ 31. Prohibition of sexual orientation discrimination; definition; exception

A. It shall be unlawful discrimination for the state or any of its departments or agencies to intentionally fail or refuse to hire or discharge any individual or to otherwise intentionally discriminate against any individual with respect to his compensation because of the individual's sexual orientation.

AMENDMENT NO. 4

On page 2, delete lines 1 through 3

AMENDMENT NO. 5

On page 2, line 4 change "**C**" to "**B**" and on line 6, change "**D**" to "**C**" and on line 9, change "**E**" to "**D**"

On motion of Senator Murray, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Murray
Bajoie	Jackson	Shepherd
Chaisson	Jones	
Cravins	McPherson	
Total - 10		

NAYS

Adley	Dupre	Malone
Amedee	Ellington	Michot
Barham	Fontenot	Quinn
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 24		

ABSENT

Duplessis	Marionneaux	Nevers
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Fields Mount
Total - 5

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Murray, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the vote on Senate Bill No. 347. She had intended to vote nay on the bill. She asked that the Official Journal so state.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 89— BY REPRESENTATIVES LAFLEUR, CAZAYOUX, HEBERT, AND WOOTON

AN ACT

To amend and reenact R.S. 14:19 and 20, relative to the justifiable use of force or violence; to provide for a presumption in the use of force or violence under certain circumstances; to provide for immunity for criminal prosecution for the use of force or violence under certain circumstances; to provide for applicability; to provide that there is no duty to retreat when a person is lawfully where they should be; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre McPherson
Adley Ellington Michot
Amedee Fontenot Mount
Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Heitmeier Quinn
Broome Hollis Romero
Cain Jackson Schedler
Chaisson Jones Shepherd
Cheek Kostelka Smith
Cravins Lentini Theunissen
Dardenne Malone Ullo
Total - 36

NAYS

Total - 0

ABSENT

Duplessis Fields Marionneaux
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 717— BY REPRESENTATIVE SALTER AN ACT

To enact R.S. 33:2737.79, to authorize the Sabine Parish School Board to levy and collect an additional sales and use tax; to provide for the maximum rate of the tax and for imposition and collection of the tax; to provide for the use of tax proceeds; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 57— BY REPRESENTATIVE TOOMY AN ACT

To amend and reenact R.S. 13:841(A)(introductory paragraph) and (1) through (10) and (D) and to repeal R.S. 13:841(A)(11) through (77) and (E), relative to fees the clerks of the district courts are entitled to receive in civil matters for services provided; to streamline the fees and services; to provide for a fee for marriage licenses and copies; to delete provisions authorizing a clerk to demand and receive additional fees in an amount not to exceed ten percent; to repeal certain fees of offices and services; to repeal provisions relating to service on the same person in the same proceeding but in more than one capacity; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre McPherson
Adley Ellington Michot
Amedee Fontenot Mount
Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Heitmeier Quinn
Broome Hollis Romero
Cain Jackson Smith
Chaisson Jones Theunissen
Cheek Kostelka Ullo
Cravins Lentini
Dardenne Malone
Total - 34

NAYS

Total - 0

ABSENT

Duplessis Marionneaux Shepherd
Fields Schedler
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 12— BY REPRESENTATIVE GREENE AN ACT

To amend and reenact R.S. 14:220.1(B), relative to leased movables; to increase the penalty for failure to return a leased movable in certain circumstances; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Boasso	Fields	Shepherd
Duplessis	Marionneaux	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 56—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:2795.3(A)(1), (3)(a), (4), and (7), relative to civil liability; to provide a limitation of liability for horse racing; to provide definitions; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Bajoie	Gautreaux N	Quinn
Barham	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Dupre	Michot	
Total - 31		

NAYS

Lentini
Total - 1

ABSENT

Boasso	Fields	Schedler
Broome	Kostelka	
Duplessis	Marionneaux	
Total - 7		

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the

bill was passed and laid the motion on the table.

HOUSE BILL NO. 70—

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; and to provide for related matters.

Floor Amendments Sent Up

Senator Cheek sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Engrossed House Bill No. 70 by Representative Durand

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 17, 2006

AMENDMENT NO. 2

On page 1, line 8, after "emergency" insert "anywhere in the state"

AMENDMENT NO. 3

On page 1, line 9, after "aid" insert "to assist persons injured as a result of the emergency whether the aid is rendered in the area subject to the declaration of emergency or elsewhere"

On motion of Senator Cheek, the amendments were adopted.

The bill was read by title. Senator Mount moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis	Marionneaux	Shepherd
Fields	Schedler	
Total - 5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 74—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Criminal Procedure Article 344(B)(1), relative to the right to notice for a defendant's required

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appearance; to provide that the defendant may designate an agent to be served with the notice to appear; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Duplessis	Fields	Marionneaux
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Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 76—

BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, LABRUZZO, MARTINY, PITRE, AND TOOMY AND SENATORS LENTINI AND SHEPHERD

AN ACT

To enact R.S. 42:1441.3(G), relative to public liability; to provide for the civil liability of political subdivisions; to provide for the determination of master for liability purposes; to provide for political subdivisions acting as third-party payors; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	

Total - 34

NAYS

Total - 0

ABSENT

Cain	Fields	Theunissen
Duplessis	Marionneaux	

Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 86—

BY REPRESENTATIVE KENNEY AND SENATOR ELLINGTON
AN ACT

To enact R.S. 33:451, relative to mayors' courts; to establish a mayor's court in the town of Clarks, Caldwell Parish; to provide for the territorial jurisdiction of the court; to grant the mayor power, authority, and jurisdiction; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	McPherson
Amedee	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Cravins	Fields	Quinn
Duplessis	Marionneaux	Shepherd

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Adley in the Chair

HOUSE BILL NO. 121—

BY REPRESENTATIVES JOHNS AND CROWE
AN ACT

To enact R.S. 9:272(C), relative to covenant marriage; to provide relative to grounds for the dissolution of a covenant marriage; and to provide for related matters.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn

Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cain	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Chaisson	Fields	Shepherd
Duplessis	Marionneaux	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 288—

BY REPRESENTATIVES WALKER, ANSARDI, CRAVINS, AND JOHNS
AN ACT

To amend and reenact Code of Civil Procedure Article 3431(A), relative to small successions; to provide for qualifications for filing a small succession; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Marionneaux
Fields	Shepherd
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 303—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 40:981.3(A), relative to the Uniform Controlled Dangerous Substances Law; to provide for violations of the Uniform Controlled Dangerous Substances Law in drug-free zones; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Jackson	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis	Hollis	Quinn
Fields	Marionneaux	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 309—

BY REPRESENTATIVES WALKER AND GRAY
AN ACT

To amend and reenact Civil Code Article 54, relative to declarations of death for absent persons; to provide relative to deaths between August 26, 2005, and September 30, 2005; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Hollis	Shepherd
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	McPherson	
Total - 34		

NAYS

Malone
Total - 1

ABSENT

Duplessis	Marionneaux
Fields	Quinn
Total - 4	

The Chair declared the bill was passed. The title was read and

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adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 379—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Cheek, Cravins, Dardenne, Dupre, Ellington, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, ABSENT. Lists Chaisson, Duplessis, Fields, Marionneaux.

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 534—

BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact Code of Civil Procedure Article 3752(B), relative to the recordation of notice of the pendency of an action; to provide for a prescriptive period of ten years; to provide for the reinscription of the notice; to provide for retroactive application; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Cheek, Ellington, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen.

Table with 1 column: Name. Lists Cravins, Dardenne, Dupre, Total - 34.

Table with 1 column: Name. Lists Malone, McPherson, Michot.

Ullo

NAYS

Total - 0

ABSENT

Table with 1 column: Name. Lists Chaisson, Duplessis, Total - 5.

Table with 1 column: Name. Lists Fields, Lentini.

Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 676—

BY REPRESENTATIVE BALDONE AN ACT

To amend and reenact R.S. 47:1998(A)(1)(a) and to enact R.S. 47:1998(G), relative to ad valorem taxation; to provide procedures for judicial review of the final determination by the Louisiana Tax Commission of assessed valuation and taxes due; to authorize assessors employment of private counsel; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 676 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 18, after "from" delete "and the amount due as taxes thereon"

AMENDMENT NO. 2

On page 1, lines 18 and 19, after "assessed valuation" delete "and the taxes due thereon"

AMENDMENT NO. 3

On page 2, line 9, change "G." to "G.(1)"

AMENDMENT NO. 4

On page 2, after line 15, insert "(2) Notwithstanding any provision of Paragraph G.(1) to the contrary, the provisions of Paragraph G shall not apply to taxes timely paid under protest by taxpayers.

Section 2. Section 1 of this Act shall not be applicable to any tax year prior to 2007.

Section 3. In accordance with Louisiana Constitution Article VII, §1(B), the reappraisal of any property by order or judgement of a court shall not result in an assessed value in excess of the final determination of assessed value appealed from by the taxpayer."

AMENDMENT NO. 5

On page 2, line 16, change "Section 2" to "Section 4"

Senator Barham moved adoption of the amendments.

Senator Dupre objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists Adley, Dardenne, Michot.

Amedee	Fontenot	Quinn
Barham	Kostelka	Schedler
Boasso	Lentini	Theunissen
Cheek	Malone	
Total - 14		

NAYS

Mr. President	Fields	Nevers
Bajoie	Gautreaux B	Romero
Cain	Heitmeier	Shepherd
Chaisson	Hollis	Smith
Cravins	Jones	Ullo
Dupre	Mount	
Ellington	Murray	
Total - 19		

ABSENT

Broome	Gautreaux N	Marionneaux
Duplessis	Jackson	McPherson
Total - 6		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	McPherson
Amedee	Dupre	Mount
Bajoie	Ellington	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Smith
Cravins	Hollis	Ullo
Total - 21		

NAYS

Adley	Fontenot	Michot
Barham	Kostelka	Quinn
Chaisson	Lentini	Schedler
Cheek	Malone	Theunissen
Total - 12		

ABSENT

Duplessis	Jackson	Marionneaux
Fields	Jones	Shepherd
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 685—

BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, CRAVINS, DOWNS, FRITH, M. GUILLORY, HILL, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To enact R.S. 3:4674, relative to ethanol and bio-diesel standards; to provide a minimum ethanol content requirement for gasoline; to provide a minimum bio-diesel content requirement for diesel; to provide relative to alternate renewable fuels; to provide for definitions; to provide for exemptions; and to provide for related matters.

On motion of Senator Nevers, House Bill No. 685 was made Special Order of the Day No. 2 on Wednesday, May 24, 2006, immediately following the Morning Hour.

HOUSE BILL NO. 706—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 19:136 and 136.1(3), relative to the expropriation of blighted property; to authorize the city of Grambling to expropriate by a declaration of taking; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Cain	Jones
Duplessis	Marionneaux
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 713—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 13:1904(C) and (D), relative to the destruction of certain records in the City Court of Ruston; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destruction of records; to provide for requirements prior to destruction; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	

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Total - 35

NAYS

Total - 0

ABSENT

Duplessis Marionneaux
Jones Schedler

Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 846—

BY REPRESENTATIVES DORSEY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND SALTER AND SENATORS BAJOE, HEITMEIER, HINES, AND MOUNT
AN ACT

To enact R.S. 29:769(E), relative to public health emergencies; to provide during such emergencies for the temporary registration of certain health care providers licensed in another jurisdiction of the United States; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Michot
Adley Fields Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Boasso Heitmeier Romero
Broome Hollis Schedler
Cain Jackson Shepherd
Chaisson Jones Smith
Cheek Kostelka Theunissen
Cravins Lentini Ullo
Dardenne Malone
Dupre McPherson

Total - 37

NAYS

Total - 0

ABSENT

Duplessis Marionneaux
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 879—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:133.5, relative to filing a false complaint against a law enforcement officer; to create the crime of filing a false complaint against a law enforcement officer; to provide for penalties; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Michot
Adley Fields Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Boasso Heitmeier Romero
Broome Hollis Schedler
Cain Jackson Shepherd
Chaisson Jones Smith
Cheek Kostelka Theunissen
Cravins Lentini Ullo
Dardenne Malone
Dupre McPherson

Total - 37

NAYS

Total - 0

ABSENT

Duplessis Marionneaux
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 884—

BY REPRESENTATIVES DURAND, ALEXANDER, JOHNS, AND WALKER
AN ACT

To enact R.S. 9:2793.3 and 2793.4, relative to civil liability of nonprofit organizations; to provide a limitation of liability for the United Way; to provide a limitation of liability for Southern Mutual Help Association, Inc.; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Floor Amendments Sent Up

Senator Broome sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed House Bill No. 884 by Representative Durand

AMENDMENT NO. 1

On page 1, line 2, delete "and 2793.4" and insert "; 2793.4 and 2793.5"

AMENDMENT NO. 2

On page 1, line 4, after " , Inc.;" insert the following: "to provide a limitation of liability for PRC Compassion, Inc., as well as certain churches;"

AMENDMENT NO. 3

On page 1, line 7, delete "and 2773.4" and insert "; 2793.4 and 2793.5"

AMENDMENT NO. 4

On page 2, after line 4, insert the following: "§2793.5. Gratuitous services rendered by faith based organizations and churches; limitation of liability Any church or faith based organization which is designated for religious purposes and tax exempt under 501(c)(3) of the Internal Revenue Code or any officer, employee or volunteer thereof, who gratuitously renders any disaster relief or recovery services following a declared state of emergency, shall not be

liable to any person for any injury, death, loss, civil penalty, or damage as a result of any act or omission in rendering relief or recovery services or as a result of any act or failure to act or failure to provide or arrange for further services, unless the damage or injury was caused by gross negligence or willful and wanton misconduct."

On motion of Senator Broome, the amendments were adopted.

The bill was read by title. Senator Michot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis	Marionneaux
Total - 2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1034—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 3:556.14, relative to an assessment on crawfish tail meat; to provide for a referendum of producers; to provide for payment and collection of the assessment; to provide for distribution of the proceeds; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	

Dupre	McPherson
Total - 37	
	NAYS

Total - 0	ABSENT
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Duplessis	Marionneaux
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1043—
BY REPRESENTATIVES GREENE AND SCALISE
AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for increased penalties for the crime of vehicular homicide; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis	Marionneaux
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1093—
BY REPRESENTATIVES DURAND, BALDONE, AND ROMERO
AN ACT

To amend and reenact R.S. 14:67.9, relative to theft of oil and gas equipment; to provide for increased penalties; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount

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Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	

Total - 37

NAYS

Total - 0

ABSENT

Duplessis	Marionneaux
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Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1133—

BY REPRESENTATIVES DARTEZ, JACK SMITH, ST. GERMAIN, FAUCHEUX, AND GARY SMITH AND SENATORS AMEDEE AND B. GAUTREAUX

AN ACT

To enact R.S. 16:516, 517, and 518, relative to the payment of health insurance premiums of district attorneys in the Twenty-Third, Twenty-Ninth, and Fortieth judicial districts; to provide with respect to payment of health insurance for certain retired district attorneys; to establish criteria for eligibility; to provide for the payment of such premiums by the district attorney's office; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 1133 by Representative Dartez

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 17, 2006, on page 1, line 2, change ""518, and 519"" to ""518, 519, 520, and 521,""

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 17, 2006, on page 1, line 4, change ""Fifth"" to ""Fourth, Fifth, Twenty-First,""

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 17, 2006, on page 1, line 6, change ""518, and 519"" to ""518, 519, 520, and 521""

AMENDMENT NO. 4

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 17, 2006, on page 1, after line 19, insert the following:

"§520. Health insurance; retired district attorney for the Twenty-First Judicial District

The premium costs of group or individual health insurance shall be paid in full from the district attorney's general fund, in and for the Twenty-First Judicial District, for any district attorney who retired from the judicial district with at least thirty years of full-time service regardless of age.

§521. Health insurance; retired district attorney for the Fourth Judicial District

The premium costs of group or individual health insurance shall be paid in full from the district attorney's general fund, in and for the Fourth Judicial District, for any district attorney who retired from the judicial district with at least thirty years of full-time service regardless of age."

On motion of Senator Amedee, the amendments were adopted.

The bill was read by title. Senator Amedee moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Bajoie	Gautreaux N	Quinn
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Broome	Jackson	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Malone	Ullo
Dardenne	McPherson	
Dupre	Michot	

Total - 34

NAYS

Total - 0

ABSENT

Cravins	Fields	Marionneaux
Duplessis	Lentini	

Total - 5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1134—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 33:9576(A), (B), and (D)(5) and to enact R.S. 33:9576(C)(7), (D)(6), and (E), relative to the Calcasieu Parish Gaming Revenue District; to authorize the district to incur debt and issue bonds and other evidences of indebtedness; to provide for purposes and procedures; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Nevers
Bajoie	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Shepherd
Cravins	Malone	Smith
Dupre	McPherson	Theunissen
Ellington	Michot	Ullo
Gautreaux B	Mount	
Gautreaux N	Murray	

Total - 28

NAYS

Amedee	Boasso	Fontenot
Barham	Broome	
Total - 5		

ABSENT

Adley	Duplessis	Lentini
Dardenne	Fields	Marionneaux
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1134. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Kostelka asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1134. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1134. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Nevers asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1134. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.1(D)(3), (4), and (5), relative to the crime of cruelty to animals; to identify certain species of birds as animals for purposes of the crime; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Hollis	Shepherd
Cain	Jackson	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis	Jones	Quinn
Fields	Marionneaux	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1201—

BY REPRESENTATIVES HONEY, BALDONE, BURRELL, CAZAYOUX, DORSEY, GEYMANN, GRAY, HEATON, MARTINY, QUEZAIRE, SALTER, SCHNEIDER, JANE SMITH, WHITE, WOOTON, ALARIO, ARNOLD, BADON, BARROW, BAUDOIN, BURNS, K. CARTER, CRANE, CRAVINS, CURTIS, DANIEL, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY, HILL, HUTTER, JACKSON, JEFFERSON, KATZ, LABRUZZO, LAFONTA, LANCASTER, MARCHAND, McDONALD, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, ROMERO, SCALISE, GARY SMITH, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, AND TUCKER

AN ACT

To amend and reenact R.S. 15:587.1(C)(introductory paragraph) and (1) and to enact R.S. 17:15(E), relative to criminal background checks; to provide for criminal history information for teachers, school employees, and others who are applying for a position of supervisory or disciplinary authority over children; to add crimes of violence, sex offenses and the crimes of voyeurism, and peeping Tom to the list of crimes which are maintained by the Bureau of Criminal Identification and Information and reported to employers; to require teachers and other school employees to disclose convictions or pleas for certain criminal offenses to their employer; and to provide for related matters.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Mount
Adley	Ellington	Murray
Amedee	Fontenot	Nevers
Bajoie	Gautreaux N	Quinn
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Broome	Jackson	Shepherd
Cain	Kostelka	Smith
Chaisson	Lentini	Theunissen
Cheek	Malone	Ullo
Cravins	McPherson	
Dardenne	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis	Gautreaux B	Marionneaux
Fields	Jones	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

May 23, 2006

HOUSE BILL NO. 1210—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 30:2522(4) and 2531.1(A), relative to littering; to amend the definition of litter to include roofing nails; to amend provisions of the crime of gross littering to include roofing nails; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis
Total - 2
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1258—
BY REPRESENTATIVES KLECKLEY, MCDONALD, AND WALSWORTH
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(8) and to enact Code of Criminal Procedure Article 814(A)(8.1), relative to responsive verdicts; to provide for oral sexual battery as a responsive verdict to aggravated rape; to provide for responsive verdicts of aggravated rape of a child under the age of thirteen; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	

Dupre
Total - 37
McPherson
NAYS

Total - 0
ABSENT

Duplessis
Total - 2
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1335—
BY REPRESENTATIVE GLOVER
AN ACT

To amend and reenact R.S. 14:67.16(A) and (C), relative to identity theft; to provide for penalties for the crime of identity theft against persons sixty years of age or older or disabled; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis
Total - 2
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1369— (Substitute for House Bill No. 581 by Representative Geymann)

BY REPRESENTATIVES GEYMAN AND CRAVINS
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A) and to enact Chapter 3-D of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:561 through 561.7, relative to sex offenders; to provide for supervised release of sex offenders; to provide for the duties of the Department of Public Safety and Corrections; to provide for the conditions of supervised release; to provide for the duration of supervised release; to provide for applicability; to provide for the adoption of administrative rules; to provide for exceptions; to provide for penalties for failure to comply with the conditions of supervised release; to provide for duties of the court to explain the term and conditions of supervised release; to provide that supervised release shall not constitute probation and as such is not subject to the five-year limitation on the length of probation; and to

provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Amedee	Gautreaux B	Michot
Bajoie	Gautreaux N	Mount
Broome	Heitmeier	Murray
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 24		

NAYS

Adley	Fontenot	Romero
Barham	Malone	Smith
Boasso	Nevers	
Ellington	Quinn	
Total - 10		

ABSENT

Cain	Fields	Marionneaux
Duplessis	Lentini	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1369. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 150—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(i), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux B	Nevers
Bajoie	Gautreaux N	Quinn
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Broome	Jackson	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Malone	Ullo

Dardenne	McPherson
Dupre	Michot
Total - 34	
	NAYS
Total - 0	
	ABSENT

Cravins	Fields	Marionneaux
Duplessis	Lentini	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 151—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(b), relative to the Department of Economic Development; to provide for re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0
ABSENT

Duplessis	Lentini
Fields	Marionneaux
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 152—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 51:943(A)(9), (10), (11), and (12), relative to the membership of the Small Business Entrepreneurship Commission; to increase the membership of the commission to add members chosen from Louisiana colleges and universities; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

May 23, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Mount
Adley Fontenot Murray
Amedee Gautreaux B Nevers
Bajoie Gautreaux N Quinn
Barham Heitmeier Romero
Boasso Hollis Schedler
Broome Jackson Shepherd
Cain Jones Smith
Chaisson Kostelka Theunissen
Cheek Malone Ullo
Dardenne McPherson
Dupre Michot
Total - 34

NAYS

Total - 0

ABSENT

Cravins Fields Marionneaux
Duplessis Lentini
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 193— BY REPRESENTATIVE LAFONTA AN ACT

To enact R.S. 18:108(C), relative to voter registration; to provide for the reinstatement of prior voter registration information for a voter whose registration has been canceled and who re-registers to vote in the parish in which he was previously registered within three years of the cancellation of his registration in that parish; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed House Bill No. 193 by Representative LaFonta

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on May 18, 2006.

AMENDMENT NO. 2

On page 1, line 18, after "except that any" and before "changes" insert "necessary"

AMENDMENT NO. 3

On page 1, line 18, change "as necessary," to "including but not limited to the voter's new address."

On motion of Senator Murray, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Ellington Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Boasso Heitmeier Romero
Broome Hollis Schedler
Cain Jackson Shepherd
Chaisson Jones Smith
Cheek Lentini Theunissen
Cravins Malone Ullo
Dardenne McPherson
Total - 35

NAYS

Kostelka
Total - 1

ABSENT

Duplessis Fields Marionneaux
Total - 3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 203— BY REPRESENTATIVES PINAC AND M. POWELL AN ACT

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1606, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre McPherson
Adley Ellington Michot
Amedee Fontenot Mount
Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Heitmeier Quinn
Broome Hollis Romero
Cain Jackson Schedler
Chaisson Jones Shepherd
Cheek Kostelka Smith
Cravins Lentini Theunissen
Dardenne Malone Ullo
Total - 36

NAYS

Total - 0

ABSENT

Duplessis Fields Marionneaux
Total - 3

The Chair declared the bill was passed. The title was read and

adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 205—
BY REPRESENTATIVES LAFONTA AND KATZ
AN ACT

To amend and reenact R.S. 40:2018.1(A), (B)(1)(a)(ii), (b)(ii), (d), (e), (j) through (l), (4), (7) through (9), and (13), (E)(3), and (G) and to repeal R.S. 40:2018.1 (B)(1)(q) and (s), relative to the Louisiana Commission on HIV, AIDS and Hepatitis C; to provide for a termination date; to provide for the members and functions of the commission; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Quinn
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Hollis	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	

Total - 32

NAYS

Total - 0

ABSENT

Cain	Jackson	Nevers
Duplessis	Kostelka	
Fields	Marionneaux	

Total - 7

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Bajoie in the Chair

HOUSE BILL NO. 247—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(n), relative to the Louisiana Economic Development Council and certain other agencies within the office of the governor, including provisions to provide for the re-creation of the council and such agencies; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray

Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	

Total - 35

NAYS

Total - 0

ABSENT

Duplessis	Jackson
Fields	Marionneaux

Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 256—
BY REPRESENTATIVES WALKER AND KATZ
AN ACT

To amend and reenact R.S. 28:454.15 and 824(A), R.S. 40:1300.51(2)(b), (3), and (5), 2006(A)(2)(k), (B)(2)(d), and (E)(2)(j), 2007.1(A)(1)(j), 2116(G) and (J)(1), 2120.4(B)(10)(c), 2180(2), 2180.1(introductory paragraph), and 2180.4(B), and R.S. 46:2622(6) and 2625(A)(1)(introductory paragraph) and (b), relative to intermediate care facilities for the mentally retarded; to change the name of intermediate care facilities for the mentally retarded to intermediate care facilities for people with developmental disabilities; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	

Total - 35

NAYS

Total - 0

ABSENT

Duplessis	Jackson
Fields	Marionneaux

Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

May 23, 2006

HOUSE BILL NO. 261—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 37:1164(2)(a), 1203(A)(7), 1209, 1232(B), and 1241(A)(17)(c), relative to the Pharmacy Practice Act; to provide for definitions; to provide for qualifications for reciprocity for pharmacists' licensure; to provide relative to pharmacists registered and licensed not less than fifty years; to provide relative to out-of-state pharmacies; to provide relative to the refusal, restriction, suspension, or revocation of licenses; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Ellington Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Boasso Heitmeier Romero
Broome Hollis Schedler
Cain Jones Shepherd
Chaisson Kostelka Smith
Cheek Lentini Theunissen
Cravins Malone Ullo
Dardenne McPherson
Total - 35

NAYS

Total - 0

ABSENT

Duplessis Jackson
Fields Marionneaux
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 262—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:24(A), 25(A)(1), 104(C)(2) and (3), 163(E)(1)(c), 203(A), 236(C)(2), 262.1(E)(1), 304(B), 308(A)(1) and (B)(3), 1305(A) and (E), 1308(C)(1), 1308.2(C)(1)(a), 1345(B) and (C), and 1350(B)(1)(c), relative to filing requirements for certain business organizations; to delete requirements for acknowledgments, authentic acts, or other documentation requiring a notary public; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Mount
Adley Fontenot Murray
Amedee Gautreaux B Nevers
Bajoie Gautreaux N Quinn
Barham Heitmeier Romero
Boasso Hollis Schedler

Broome Jones Shepherd
Chaisson Kostelka Smith
Cheek Lentini Theunissen
Cravins Malone Ullo
Dardenne McPherson
Dupre Michot
Total - 34

NAYS

Total - 0

ABSENT

Cain Fields Marionneaux
Duplessis Jackson
Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 302—

BY REPRESENTATIVES STRAIN, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, WADDELL, AND WINSTON

AN ACT

To enact R.S. 37:761.1 and 795(B)(1)(l), relative to the dental practice act; to provide for the procedures and requirements to obtain a retired volunteer dental license; to provide for fees and costs; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Ellington Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Boasso Heitmeier Romero
Broome Hollis Schedler
Cain Jones Shepherd
Chaisson Kostelka Smith
Cheek Lentini Theunissen
Cravins Malone Ullo
Dardenne McPherson
Total - 35

NAYS

Total - 0

ABSENT

Duplessis Jackson
Fields Marionneaux
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 335—

BY REPRESENTATIVES BOWLER AND MARCHAND

AN ACT

To amend and reenact R.S. 49:992(D)(2) and to enact R.S. 49:992(I), relative to adjudications and hearings functions of the division of administrative law and certain state departments; to provide for adjudications and hearings functions of the Department of Health and Hospitals, the Department of Social Services, and the Department of Education; to provide for the delegation of

certain functions and authority to the division of administrative law, except where prohibited by federal law; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 358—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:1406(1), relative to the unfair trade practices and consumer protection law; to provide for an exemption for federally insured financial institutions and licensees of the Office of Financial Institutions; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Jackson
Fields	Marionneaux
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 506—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 37:1782(14), 1796(A), and 1798(A) and to enact R.S. 37:1782(15) and (16), relative to pawnbrokers; to provide for definitions; to provide for recordkeeping; to provide for information to be furnished to police; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray

Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Hollis	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis	Jackson	Quinn
Fields	Marionneaux	
Total - 5		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 587—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 18:451.3, relative to qualifications for candidacy and for holding office; to provide that for purposes of residency or domicile requirements relative to qualifying for and holding office, a person shall not be considered to have vacated his domicile or residence if he was involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency except in certain circumstances; and to provide for related matters.

The bill was read by title. Senator Shepherd moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Jackson
Fields	Marionneaux
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Shepherd moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

May 23, 2006

HOUSE BILL NO. 652—

BY REPRESENTATIVES WINSTON, BURNS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, JOHN SMITH, STRAIN, WADDELL, ANSARDI, BADON, BALDONE, BARROW, BAYLOR, CRAVINS, CROWE, CURTIS, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, HARRIS, HEATON, HEBERT, KENNEY, KLECKLEY, LAFLEUR, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, TRAHAN, TRICHE, WALKER, WHITE, AND WOOTON

AN ACT

To amend and reenact Children's Code Articles 607(A) and (B), 1016(A) and (B), 1404(14) and R.S. 15:151.2(B), R.S. 28:2(13), and R.S. 46:460.21(A) and to enact Chapter 5 of Title V of the Louisiana Children's Code, to be comprised of Articles 551 through 560, and R.S. 15:151.2(J), relative to the welfare of children; to provide for access to children and communication in legal representation of children cases; to provide for the purpose and establishment of the Child Advocacy Program; to provide for the organization and board of trustees for the Child Advocacy Program; to provide for a child's right to appointed counsel in child in need of care proceedings; to provide for the right to counsel in termination proceedings; to provide for definitions in mental health proceedings for children; to provide for the powers and duties of the Indigent Defense Assistance Board; to provide for definitions in the mental health law; to provide for legal fees and expenses through the Department of Social Services, office of community services; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne and their corresponding counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Duplessis, Fields and their counts.

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 23, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 98—

BY SENATORS DARDENNE, BROOME AND FIELDS AND REPRESENTATIVES CRANE, DANIEL AND DORSEY

A CONCURRENT RESOLUTION

To commend the Louisiana State University Laboratory School on being ranked in the top five percent of public schools in the United States.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 85—

BY SENATOR B. GAUTREAUX

A RESOLUTION

To commend Hector Mario Ruiz, M.D., for over fifty years of dedication to the medical profession and to celebrate his exemplary service to the community and the state of Louisiana.

On motion of Senator B. Gautreaux, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 86—

BY SENATOR DARDENNE

A RESOLUTION

To commend George Kirby Reech on his patriotism and his outstanding leadership as Vice President General of the National Society of the Sons of the American Revolution.

On motion of Senator Dardenne, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 100—

BY SENATORS MALONE, CHEEK AND JACKSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Sarah Ann Hoffman Snyder.

The resolution was read by title. Senator Malone moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham and their corresponding counts.

Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Jackson
Fields	Marionneaux
Total - 4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the office of group benefits to conduct a second phase of study for gastric bypass surgery.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To recognize October 1, 2006, as World Peace Day in the state of Louisiana.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Duplessis	Jackson
Fields	Marionneaux
Total - 4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 23, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 43—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 11:2225.4, relative to the Municipal Police Employees' Retirement System; to provide for a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable; to provide for limitations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 493—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:4715.2(A), (C)(11), and (E) and to enact R.S. 33:4715.2(C)(4)(g) and (h) and (D)(7), relative to the Plaquemines Parish Courthouse District; to provide relative to district purposes; to provide relative to the powers and duties of the governing board of the district; to provide relative to district funding; and to provide for related matters.

HOUSE BILL NO. 686—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:100.21, relative to state funds; to extend the effective date of the 2004 Overcollections Fund until June 30, 2007; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 767—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 15:921(A), to enact R.S. 39:100.25 and 100.26, and to repeal R.S. 15:921(D), relative to state funds; to create the FEMA Reimbursement Fund; to create the State Emergency Response Fund; to provide for the deposit, investment, use, and appropriation of monies in the FEMA Reimbursement Fund and the State Emergency Response Fund; to provide for the deposit of certain funds into the Youthful Offender Management Fund; to repeal the cap on the Youthful Offender Management Fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 811—
BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 11:1152(M), relative to the Deferred Retirement Option Plan of the Louisiana School Employees' Retirement System; to provide for rescission of election to participate subject to certain limitations; to provide for a rescinding members' return to active status upon payment of employee contributions, interest, or other actuarial costs, and forfeiture of plan benefits; to provide for rulemaking; and to provide for related matters.

HOUSE BILL NO. 1144—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 23:1221(4)(s)(v), relative to workers' compensation; to repeal the applicable dates for catastrophic injury claims; and to provide for related matters.

May 23, 2006

HOUSE BILL NO. 1160—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 33:103(C)(1)(I), relative to members of certain municipal planning commissions; to authorize the governing authority of certain municipalities to pay a per diem to members of the municipal planning commission; to provide for the rate of per diem and the number of meetings for which per diem is to be paid; and to provide for related matters.

HOUSE BILL NO. 1333—
BY REPRESENTATIVES CRAVINS AND M. GUILLORY
AN ACT

To enact R.S. 48:602(I), relative to St. Landry Parish public works districts; to authorize the parish governing authority to abolish such districts; and to provide for related matters.

HOUSE BILL NO. 1362—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 11:837, relative to the Teachers' Retirement System of Louisiana; to provide for the collection of benefits paid to a member but not due the member; to provide for those amounts to be collected; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1393— (Substitute for House Bill No. 489 by Representative Jefferson)
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 18:135.1, relative to voter registration; to require the secretary of state to examine issues related to changing the close of voter registration and to report to the House and Senate Governmental Affairs Committees whether it would be feasible to change the voter registration deadline; to authorize the secretary of state to develop and implement a plan relative to changing the voter registration deadline if he reports that it is feasible to do so; to require and provide for gubernatorial and legislative approval of such plan prior to implementation; and to provide for related matters.

HOUSE BILL NO. 1394— (Substitute for House Bill No. 896 by Representative Walsworth)
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 37:1302, relative to the practice of medicine; to allow a physician to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician to an uninsured individual shall not reduce the contracted reimbursement amount between a physician and a health insurance issuer; to provide for definitions; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 43—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 11:2225.4, relative to the Municipal Police Employees' Retirement System; to provide for a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable; to provide for limitations; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 493—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:4715.2(A), (C)(11), and (E) and to enact R.S. 33:4715.2(C)(4)(g) and (h) and (D)(7), relative to the Plaquemines Parish Courthouse District; to provide relative to district purposes; to provide relative to the powers and duties of the governing board of the district; to provide relative to district funding; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 686—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:100.21, relative to state funds; to extend the effective date of the 2004 Overcollections Fund until June 30, 2007; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 767—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 15:921(A), to enact R.S. 39:100.25 and 100.26, and to repeal R.S. 15:921(D), relative to state funds; to create the FEMA Reimbursement Fund; to create the State Emergency Response Fund; to provide for the deposit, investment, use, and appropriation of monies in the FEMA Reimbursement Fund and the State Emergency Response Fund; to provide for the deposit of certain funds into the Youthful Offender Management Fund; to repeal the cap on the Youthful Offender Management Fund; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 811—
BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 11:1152(M), relative to the Deferred Retirement Option Plan of the Louisiana School Employees' Retirement System; to provide for rescission of election to participate subject to certain limitations; to provide for a rescinding members' return to active status upon payment of employee contributions, interest, or other actuarial costs, and forfeiture of plan benefits; to provide for rulemaking; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1144—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 23:1221(4)(s)(v), relative to workers' compensation; to repeal the applicable dates for catastrophic injury claims; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1160—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 33:103(C)(1)(I), relative to members of certain municipal planning commissions; to authorize the governing authority of certain municipalities to pay a per diem to members of the municipal planning commission; to provide for the rate of per diem and the number of meetings for which per diem is to be paid; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1333—
BY REPRESENTATIVES CRAVINS AND M. GUILLORY
AN ACT

To enact R.S. 48:602(I), relative to St. Landry Parish public works districts; to authorize the parish governing authority to abolish such districts; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1362—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 11:837, relative to the Teachers' Retirement System of Louisiana; to provide for the collection of benefits paid to a member but not due the member; to provide for those amounts to be collected; to provide an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1393— (Substitute for House Bill No. 489 by Representative Jefferson)
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 18:135.1, relative to voter registration; to require the secretary of state to examine issues related to changing the close of voter registration and to report to the House and Senate Governmental Affairs Committees whether it would be feasible to change the voter registration deadline; to authorize the secretary of state to develop and implement a plan relative to changing the voter registration deadline if he reports that it is feasible to do so; to require and provide for gubernatorial and legislative approval of such plan prior to implementation; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1394— (Substitute for House Bill No. 896 by Representative Walsworth)
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 37:1302, relative to the practice of medicine; to allow a physician to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician to an uninsured individual shall not reduce the contracted reimbursement amount between a physician and a health insurance issuer; to provide for definitions; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 23, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVES SCHNEIDER, ARNOLD, CURTIS, DOERGE,
KLECKLEY, ROBIDEAUX, AND TRICHE
A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of trustees of the Louisiana State Employees' Retirement System (LASERS) of up to two and four-tenths percent for LASERS' retirees, survivors, and beneficiaries, effective July 1, 2006.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVES SCHNEIDER, ARNOLD, CURTIS, DOERGE,
KLECKLEY, ROBIDEAUX, AND TRICHE
A CONCURRENT RESOLUTION

To approve a cost-of-living increase requested by the board of trustees of the Louisiana State Employees' Retirement System (LASERS) of up to two and four-tenths percent for LASERS' retirees, survivors, and beneficiaries, effective July 1, 2006.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 23, 2006

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

HOUSE BILL NO. 13—
BY REPRESENTATIVES GREENE AND TOOMY
A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 60—
BY REPRESENTATIVE GRAY
AN ACT

To enact Part IV of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:1801 through 1842 and to repeal Part III of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:1700 through 1724, relative to child custody; to create the Uniform Child Custody Jurisdiction and Enforcement Act; to provide for definitions; to provide for the application; to provide for jurisdiction; to provide for enforcement; to provide for registration; to provide for appeals; to repeal the Uniform Child Custody Jurisdiction Act; and to provide for related matters.

May 23, 2006

Reported favorably.

HOUSE BILL NO. 68—
BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability for the members of indigent defender boards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 90—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 625, 644(A)(5), 684(D), (E), (F), and (G), 694(B), and 704(B) and to enact Children's Code Articles 644(A)(6) and (7) and 682(B)(4), relative to the diligent search for absent parents; to provide for the responsibility of parents involved in certain juvenile court proceedings to notify the department and their counsel of their whereabouts; to provide for the duty of a curator ad hoc to give notice to parents of their responsibility to keep their whereabouts known to their counsel and the department; to provide for the duty of parents to notify the court and counsel of contact information of alternative caregivers for their child; to provide for giving notice to persons before the court of their responsibility to give contact information of the parents and alternative caregivers; to provide for duties of the department; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 128—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Articles 111 and 112, relative to an award of final spousal support; to require necessitous circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 180—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact Code of Civil Procedure Article 1913(E), relative to notice of judgment; to provide for notice of judgment in open court under certain circumstances; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 322—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Civil Code Article 196 and Code of Civil Procedure Article 1061(B) and Children's Code Article 116(17) and R.S. 9:392(A)(introductory paragraph) and (7), 396(A)(1)(introductory paragraph), (B)(1), and (C)(1), 398.2(A)(1), and 400(A)(4), R.S. 40:34(B)(1)(h)(i), and R.S. 46:121(3)(b), to enact R.S. 9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:401 through 406, and to repeal R.S. 9:305, 395.1, 400(A)(2), and 400.1, relative to the filiation of parents and children; to provide changes in terminology; to provide for exceptions to compulsory reconventional demands; to provide for contestation and disavowal of paternity actions; to provide for the effect of contestation and disavowal judgments on child support, custody, and visitation orders; to provide for an acknowledgment of paternity; to provide for blood tests; to provide for the suspension of prescription for disavowal action; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 414—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 1916, relative to judgments; to provide for the preparation of judgments; to provide delays; to provide for the signing of judgments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 594—
BY REPRESENTATIVES GREENE AND ANSARDI
AN ACT

To amend and reenact Civil Code Article 466, relative to component parts of immovable property; to provide relative to buildings and other constructions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 654—
BY REPRESENTATIVES DOERGE AND RICHMOND
AN ACT

To enact Children's Code Articles 1024.1 and 1036.2, relative to the involuntary termination of parental rights; to provide for the payment of transportation costs; to require the incarcerated parent to provide a reasonable plan for the appropriate care of his child; to require the Department of Social Services to notify the incarcerated parent of his duty; to provide time limitations; to provide for the assessment of the plan; to provide a standard notification form; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 777—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact Children's Code Articles 603(18), 619(A), (B), and (C), 620(B) and (C), 621, 622, 624(G), and 627(A) and (B), to enact Children's Code Articles 603(19) and 627(F), and to repeal Children's Code Article 624(H), relative to children in need of care; to provide for the definitions for the removal and safety plan for children in need of care; to provide with respect to instant orders of custody; to provide for placement of the child pending a continued custody hearing; to provide for the safety plan of a child in need of care; to provide for persons who seek to become custodians of the child; to provide for the custody hearing and custody orders; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 876—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 13:1875(14), relative to the City Court of Houma; to prohibit a judge of the City Court of Houma from practicing law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 892—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 9:2800.16, relative to public liability; to provide for government immunity of the state and other political subdivisions during and in the aftermath of Hurricanes Katrina and Rita; to provide for limitation of liability for the state and other governmental subdivisions and its agents and assigns arising out of decisions made, and in its operational activities, in the reopening, rebuilding, and resuming of operations following Hurricanes Katrina and Rita; to prohibit certain causes of action against school districts and the Recovery School District; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 904—

BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact Children's Code Article 1169(3) and (5), relative to adoption; to provide for the definition of child; to provide that a child is a person under the age of eighteen for purposes of adoption; to provide for a citation correction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 992—

BY REPRESENTATIVES MARCHAND, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LABRUZZO, LAFONTA, LANCASTER, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, AND WOOTON

AN ACT

To enact R.S. 19:2.3, relative to expropriation; to prohibit expropriation for certain purposes; to provide for exceptions; to provide for the return of unused expropriated property; to provide for applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1097—

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALEXANDER, CRAVINS, JOHNS, ROBIDEAUX, AND WALKER
AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability; to provide immunity for the use of force or violence in certain circumstances; to provide for attorney fees; to provide for costs and expenses; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI,
Chairman

**SUPPLEMENTAL
REPORT OF COMMITTEE ON
JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 23, 2006

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 638—

BY SENATORS HINES AND CHAISSON
AN ACT

To enact R.S. 49:258.1, relative to legal representation of the state and state agencies; to authorize the attorney general to employ counsel; to provide for the payment of attorney fees; and to provide for related matters.

Reported by substitute.

Respectfully submitted,
ARTHUR J. "ART" LENTINI,
Chairman

Motion to Recommit

Senator Ullo asked for and obtained a suspension of the rules and recommitted House Bill No. 345 from the Committee on Finance to the Committee on Education.

Motion to Recommit

Senator Ullo asked for and obtained a suspension of the rules and recommitted House Bill No. 830 from the Committee on Finance to the Committee on Education.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 23, 2006

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR HINES
A CONCURRENT RESOLUTION

To continue the Bayou Boeuf Advisory Committee and to require the advisory committee to study and make proposals to the Senate and House committees on transportation, highways and public works relative to uses of Bayou Boeuf, and the feasibility of the creation of a freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR JONES
A CONCURRENT RESOLUTION

To direct state agencies to provide to the division of archives, records management, and history of the Department of State all locations where their public records are stored and to direct such division to work in cooperation with the Louisiana Geographical Information Center to develop mapping relative to such locations.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR MURRAY
A CONCURRENT RESOLUTION

To direct law enforcement agencies within the metropolitan New Orleans area that seized firearms lawfully in the possession of citizens during the hurricane to develop and implement a plan for the return of such firearms to the owners.

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR CAIN AND REPRESENTATIVES KENNEY AND KATZ
A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to pass the proposed constitutional amendment banning the desecration of the United States flag.

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATOR NEVERS
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to study and report on the state's preparations for and readiness to handle a pandemic of avian influenza.

May 23, 2006

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATOR JONES
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to establish a special committee to research, study and make recommendations regarding the update, revision, and recodification of all of Louisiana's criminal or penal statutes and penalties into one comprehensive Criminal Code.

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATOR HOLLIS
A CONCURRENT RESOLUTION

To urge and request the governor to dedicate \$100 million of the recently recognized revenue surplus towards the reconstruction of the state's levee system.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATOR B. GAUTREAU AND REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To commend and congratulate Dow Chemical on fifty years of productivity in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 96—
BY SENATORS MALONE AND N. GAUTREAU
A CONCURRENT RESOLUTION

To recognize May 20, 2006, through May 26, 2006, as Louisiana Safe Boating Week and to commend the efforts of the Department of Wildlife and Fisheries, law enforcement division.

SENATE CONCURRENT RESOLUTION NO. 97—
BY SENATOR HINES
A CONCURRENT RESOLUTION

To recognize Wednesday, May 24, 2006, as Tourism Awareness Day.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 23, 2006

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 85—
BY SENATOR JONES

AN ACT

To enact R.S. 15:833.1, relative to persons in the custody of the Department of Public Safety and Corrections; to authorize the implementation of community resource centers for certain inmates to participate in disaster and emergency relief; to require the secretary to establish rules, regulations and procedures for such centers; to provide for eligibility; and to provide for related matters.

SENATE BILL NO. 134—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:2120.33(13), (14)(c), and (16), relative to brain injury facilities; to redefine certain terms; and to provide for related matters.

SENATE BILL NO. 135—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:2212(C)(1), relative to basic benefit plans provided under a health care cost control program; to prohibit the basic benefit plan from excluding direct reimbursement to advanced practice registered nurses under certain circumstances; and to provide for related matters.

SENATE BILL NO. 139—
BY SENATOR HINES

AN ACT

To enact R.S. 37:2504 (D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide that the board is authorized to operate and maintain the Certified Nursing Aide Registry through an interagency agreement with the Department of Health and Hospitals; to authorize the board to issue certificates or other paraphernalia and to charge an amount for providing them; and to provide for related matters.

SENATE BILL NO. 154— (Duplicate of House Bill No. 1124)
BY SENATOR N. GAUTREAU AND REPRESENTATIVE FRITH

AN ACT

To enact R.S. 9:348, relative to children; to provide relative to visitation orders; to provide for missed visitation due to certain military active duty; to require compensatory days of visitation in such instances; to require negotiation between parents; to provide for court intervention in certain circumstances; to authorize court-ordered mediation; to provide relative to court costs; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 162—
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 56:320(A)(5), relative to wire nets; to repeal the provision that a wire net shall only be used for the taking of legal size catfish; and to provide for related matters.

SENATE BILL NO. 196—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 3:3414, relative to the Agricultural Commodity Dealer and Warehouse Law; to require warehousemen to provide quarterly statements to producers contracting for storage of grain; and to provide for related matters.

SENATE BILL NO. 209—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2054(B)(9) and to enact R.S. 30:2074(B)(10), relative to environmental quality; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits; to provide for limitations on such authority; and to provide for related matters.

SENATE BILL NO. 250—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2022(B)(1) and (2), relative to the Department of Environmental Quality; to provide for the processing and review of permit applications for new facilities and applications for substantial permit modifications; to provide that certain administrative completeness review on permit application is to be made within sixty days after the application is submitted; to provide that a final decision on a permit is to be made within three hundred days after the application is submitted; and to provide for related matters.

SENATE BILL NO. 253—

BY SENATORS N. GAUTREAU, CHAISSON, AMEDEE, KOSTELKA, NEVERS AND SMITH AND REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 14:44.2(A), relative to aggravated kidnapping of a child; increases the child's age requirement; and to provide for related matters.

SENATE BILL NO. 388— (Duplicate of House Bill No. 696)

BY SENATOR ELLINGTON AND REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 47:1576.1, relative to settlement offers made by taxpayers; to require certain determinations of tax due and prescription of tax refunds or credits; to require certain responses by the secretary of the Department of Revenue to settlement offers; and to provide for related matters.

SENATE BILL NO. 401—

BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1(A)(1) and (H)(3), relative to post-conviction relief; to provide for an application for DNA testing; to remove the time period in which an application requesting DNA testing may be filed; and to provide for related matters.

SENATE BILL NO. 448— (Duplicate of House Bill No. 768)

BY SENATOR BROOME AND REPRESENTATIVE PINAC AND COAUTHORED BY REPRESENTATIVES BADON, BARROW, FANNIN, GREENE, HONEY, KENNEY, T. POWELL, ALEXANDER, BALDONE, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, BURRELL, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, FARRAR, FAUCHEUX, FRITH, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, JEFFERSON, KATZ, LAFONTA, MARCHAND, MONTGOMERY, MORRELL, PIERRE, M. POWELL, QUEZAIRE, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, STRAIN, TOWNSEND, TRAHAN, WADDELL, WALKER AND WALSWORTH
AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain school boards to provide information relative to certain immunizations and diseases; to provide for rules and regulations; and to provide for related matters.

SENATE BILL NO. 477—

BY SENATOR CAIN

AN ACT

To amend and reenact Code of Criminal Procedure Article 578 and to enact Code of Criminal Procedure Article 572(C), relative to bail; to provide for the expiration of bail bonds when the time for prosecuting certain offenses has lapsed; and to provide for related matters.

SENATE BILL NO. 547—

BY SENATORS MURRAY, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MCPHERSON, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LAFLEUR, LAFONTA, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TOWNSEND, TRAHAN, WADDELL AND WALKER
AN ACT

To enact R.S. 15:572.9, relative to pardons; to provide that a person convicted of violating a state law or municipal ordinance the purpose of which was to maintain or enforce racial separation or discrimination shall be granted a pardon of the conviction upon application; to provide for a hearing if the state objects to the granting of the pardon; and to provide for related matters.

SENATE BILL NO. 615—

BY SENATORS FONTENOT, BAJOIE, HINES, MOUNT AND NEVERS AND REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE AND SALTER
AN ACT

To enact Chapter 23 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2571 through 2588, relative to environmental quality; to create and provide relative to the Mercury Risk Reduction Act; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations to carry out the provisions of this Chapter; to provide for definitions; to provide for manufacturer notifications; to provide relative to public disclosure of confidential business information; to provide relative to restrictions on the sale of certain mercury-added products; to provide for exemptions and phase outs; to provide relative to labeling of mercury-added products; to provide relative to public notification; to provide relative to the collection of mercury-added products; to provide relative to disclosure for mercury containing formulated products; to provide relative to the use of elemental mercury; to provide relative to existing inventories of mercury-added products; to authorize the Department of Environmental Quality to implement a public education and outreach program; to provide relative to state procurement preferences for low or non-mercury-added products; to provide relative to mercury containing devices in water and wastewater systems; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 636— (Duplicate of House Bill No. 1152)

BY SENATOR DUPRE AND REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 38:329.1, relative to levees; to provide for the powers and duties of the South Lafourche Levee District; to provide relative bonding and taxing authority of the district; and to provide for related matters.

SENATE BILL NO. 646— (Duplicate of House Bill No. 1176)

BY SENATOR MURRAY AND REPRESENTATIVE T. POWELL

AN ACT

To enact R.S. 18:1505.2(S), relative to campaign finance; to prohibit certain campaign contributions made to candidates seeking the office of the commissioner of insurance; to prohibit service providers who contract or subcontract with the Louisiana Citizens Property Insurance Corporation from making campaign contributions to such candidates; to define the term service provider; to provide for applicability to certain campaign contributions; and to provide for related matters.

SENATE BILL NO. 692—

BY SENATOR ADLEY

AN ACT

To authorize the state of Louisiana, acting through the Military Department, and the secretary of the Department of Wildlife and Fisheries to sell, convey, transfer, assign, and deliver to each other certain state property located in Webster Parish.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Duplessis 1 Day Marionneaux 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, May 24, 2006, at 1:30 o'clock P.M.

May 23, 2006

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 24, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk